

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 40—Office of Athletics  
Chapter 4—Licensees and Their Responsibilities**

**PROPOSED AMENDMENT**

**4 CSR 40-4.090 Contestants.** The Office of Athletics is proposing to amend section (1) and add new sections sections (3)–(8).

*PURPOSE: This amendment further clarifies the duties and responsibilities of contestants.*

(1) Contestants shall at all times *[observe the rules of the office and]* abide by the statutes and rules of Missouri governing professional boxing, professional wrestling, professional kickboxing or professional full-contact karate.

(3) All contestants must pass a physical examination given by a licensed physician, in accordance with the office's rules and regulations, prior to participating in the bout. A contestant who does not pass the physical examination given by a licensed physician shall be denied the right to fight for that bout.

(4) Contestants must disclose to the physician any prior or existing medical conditions.

(5) The office may require a contestant to submit to a drug test. All fees involved with drug tests are the responsibility of the promoter or contestant. Failure to submit to a drug test upon notification by an inspector may result in disciplinary action being taken against the contestant's license.

(6) A contestant licensed by the office may be required to submit to any medical examination or test ordered by the office.

(7) Contestants for professional wrestling shall include anyone participating in any wrestling activities whether inside or outside the ring during a contest.

(8) Each boxing contestant shall be issued a federal boxing identification card, which shall include a photo, Social Security number, and federal boxing identification number.

*AUTHORITY: sections 317.006 and 317.015, RSMo [1986] 2000. Original rule filed April 30, 1982, effective Sept 11, 1982. Rescinded and readopted: Filed March 2, 1989, effective May 11, 1989. Amended: Filed Nov. 15, 2001.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 40—Office of Athletics  
Chapter 5—Inspector Duties and Rules for Professional  
Boxing, Professional Wrestling, [Karate and  
Semiprofessional Elimination Contests] Professional  
Kickboxing, and Professional Full-Contact Karate**

**PROPOSED AMENDMENT**

**4 CSR 40-5.010 Inspectors.** The Office of Athletics is proposing to amend sections (1)–(3), and (6), add sections (8) and (9), and amend the title of the rule chapter.

*PURPOSE: This amendment clarifies the duties and responsibilities of inspectors.*

(1) The office shall assign *[athletic]* inspectors as it deems necessary.

(2) In all *[athletic exhibitions]* contests, contestants, promoters, managers, matchmakers, judges, referees, timekeepers, seconds, announcers and *[examining]* physicians at all times shall be under the direction of the office or its inspector(s).

(3) Employees and inspectors of the office cannot have any interest in or connection with, either directly or indirectly, any promotion of either professional *[or amateur]* boxing, professional wrestling, professional kickboxing or professional full-contact karate in this state or have any interest, directly or indirectly, in any *[exhibition]* contest or contestant.

(6) Before the start of *[an exhibition]* a contest, an inspector must check all contestants, promoters, managers, matchmakers, announcers, seconds, timekeepers, referees and physicians for licenses issued by the office. Any of those persons without a current license issued by the office shall not participate in the *[exhibition]* contest, until an application and fee has been received and the application is approved by the office.

(8) An inspector must examine and approve all hand wrappings being placed on contestants. After approval all handwraps must be initialed by the inspector present.

(9) An inspector must be present when each contestant is being gloved. After approval of the gloving, the tape around the strings must be initialed by the inspector present.

*AUTHORITY: section 317.006, RSMo [1986] 2000. Original rule filed April 30, 1982, effective Sept 11, 1982. Rescinded and readopted: Filed March 2, 1989, effective May 11, 1989. Amended: Filed Nov. 15, 2001.*

*PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions an estimated seventy-seven thousand seven hundred eighty dollars (\$77,780) annually for the life of the rule. It is anticipated that the cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**FISCAL NOTE  
PUBLIC ENTITY COST**

**I. RULE NUMBER**

Title: 4 - Department of Economic Development

Division: 40 - Office of Athletics

Chapter: Chapter 5 - Inspector Duties and Rules for Professional Boxing Professional Wrestling, Professional Kickboxing, and Professional Full-Contact Karate

Type of Rulemaking: Proposed Amendment

Rule Number and Name: 4 CSR 40-5.010 Inspectors

Prepared November 1, 2001 by the Division of Professional Registration and Office of Athletics.

II. SUMMARY OF FISCAL IMPACT	
Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance
Office of Athletics (Per diem for an inspector to attend an average of 260 wrestling events annually)	\$19,500
Office of Athletics (Per diem for 4 inspectors to attend an average of 40 boxing events annually)	\$12,000
Office of Athletics (Per diem for 4 inspectors to attend an average of 10 professional kickboxing and full-contact karate events annually)	\$3,000
Office of Athletics (An average of \$171 in expenses reimbursed to inspectors to attend an average of 130 wrestling events annually)	\$22,230
Office of Athletics (An average of \$85 in expenses reimbursed to inspectors to attend an average of 130 wrestling events annually)	\$11,050
Office of Athletics (An average of \$50 in expenses reimbursed to 4 inspectors to attend an average of 50 wrestling events annually)	\$10,000
<b>Total annual cost for the life of the rule</b>	<b>\$77,780</b>

**III. WORKSHEET**

- See above table.

**IV. ASSUMPTIONS**

- Inspectors receive a per diem of \$75.00 per day on athletic events.
- One inspector attends all wrestling events and four inspectors attend all professional kickboxing and full-contact karate events. A minimum of six inspectors attend all boxing events, however, two of the inspectors attending the boxing events are staff members employed by the office and do not receive per diem to attend the events.
- The board estimates that of the 260 annual wrestling events, the board expects to reimburse an inspector \$171 for 130 events and \$85 for 130 events. The board also estimates that they will reimburse 4 inspectors \$50 each for 40 boxing events and 10 professional kickboxing and full-contact karate events annually. Expenses include mileage, lodging and meals.
- The total costs will recur for the life of the rule, may vary with inflation and are expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 40—Office of Athletics  
Chapter 5—Inspector Duties for Boxing, Wrestling,  
Karate and Semiprofessional Elimination Contests**

**PROPOSED RESCISSION**

**4 CSR 40-5.030 Rules for Professional Wrestling.** This rule described authorized practices to be employed for professional wrestling exhibitions.

*PURPOSE: This rule is being rescinded and readopted to clarify authorized practices to be employed for professional contests.*

*AUTHORITY: section 317.006, RSMo 1986. Original rule filed April 30, 1982, effective Sept 11, 1982. Rescinded and readopted: Filed March 2, 1989, effective May 11, 1989. Rescinded: Filed Nov. 15, 2001.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 40—Office of Athletics  
Chapter 5—Inspector Duties and Rules for Professional  
Boxing, Professional Wrestling, Professional  
Kickboxing, and Professional Full-Contact Karate**

**PROPOSED RULE**

**4 CSR 40-5.030 Rules for Professional Wrestling**

*PURPOSE: This rule describes authorized practices to be employed for professional wrestling contests.*

(1) All professional wrestling contests shall be subject to the laws and regulations governing professional wrestling. The promoter shall be liable for ensuring that all statutes and rules promulgated by the office are strictly observed and carried out, including using only licensed individuals at all contests.

(2) The referee shall score a fall against a contestant when both shoulders are pressed to the mat at the same time for three (3) seconds.

(3) When any part of a contestant's body is touching the ropes or is outside the ropes or if, in the judgment of the referee, the contestant is no longer able to properly protect him/herself, the referee shall call time and the contestants at once shall release any holds and return to the center of the ring to standing positions and resume the bout.

(4) Should a contestant fall or be pitched or thrown outside the ring, the contestant shall be allowed twenty (20) seconds by the referee to return to the center of the ring to resume the bout. If the

contestant fails to do so, s/he shall forfeit the fall. During this time, the opponent shall retire to the far corner of the ring and remain there until signaled by the referee to resume the bout.

(5) Contestants must wear proper athletic attire, approved by the referee. Shoes must be of soft sole and laced with eyelets only.

(6) The use of grease, ointments, strong smelling liniments, drugs, liquids or powders during a bout is prohibited. Contestants shall have their fingernails trimmed closely.

(7) No form of full strangle hold shall be permitted.

(8) No contestant shall take anything into the ring with him/her or pick up anything thrown into the ring to be used in any way to gain an advantage over an opponent.

(9) No wrestling contestant may deliberately lacerate oneself or one's opponent or by other means introduce human blood into the ring. The use of animal blood is prohibited.

(10) Tag team wrestling is a bout between two (2) teams of two (2) wrestlers per team with a maximum of sixty (60)-minute time limit for either one (1) fall or best two (2)-out-of-three (3) falls, with two (2) minutes rest between team falls. Team falls occur only when either contestant from one (1) team has lost a fall. The bout shall commence between one (1) contestant from each opposing team while the contestant's respective partners remain on the apron of the ring outside the ropes and unable to enter the ring unless a contestant's partner is defeated or is able to touch the outside team member's hand. The outside partner must hold a three foot (3') double rope with a knot in one (1) end and the other end looped over the ring post of his/her team's corner. At tag contact between partners, the contestant outside the ropes must have both feet on the apron floor and can reach only over the top rope to make contact. The referee must see to it that the wrestler in the ring, after tagging his/her partner, retires to the outside of the ring as the partner enters the ring. No more than two (2) wrestlers are permitted in the ring at the same time during the bout. When a fall occurs, team partners may relieve each other. If a wrestler is unable to continue, the partner must carry on alone. Time-out must be taken after an injury to permit the injured contestant to be removed from the ring. If neither team has won two (2) falls at the expiration of the time limit, the team having one (1) fall to its credit is to be declared the winner. If no falls are scored, the bout shall be declared a draw. It shall be a foul for a contestant, while waiting his/her turn, to release hold on the corner rope for any reason until officially tagged by his/her partner or called by the referee. After one (1) warning of infractions, the referee shall disqualify the offender. In all other instances the rules governing wrestling contests shall prevail.

(11) Any wrestler applying for a license or renewal first must be examined by a physician licensed under Chapter 334, RSMo or a physician holding the designation of "medical doctor" or "doctor of osteopathy" to establish physical fitness. The office may order the examination of any wrestler at any time to determine whether the wrestler is fit and qualified to engage in further contests.

(12) The referee shall decide all questions arising out of a contest not specifically covered by the statutes and these rules. In all other respects, wrestling shall be subject to the statutes and rules governing this sport.

(13) The office may require a contestant to undergo a drug test. All fees involved with drug tests are the responsibility of the promoter or contestant. A positive reading may result in the suspension or discipline of a license.

*AUTHORITY: sections 317.006 and 317.015, RSMo 2000. Original rule filed April 30, 1982, effective Sept. 11, 1982. Rescinded and readopted: Filed March 2, 1989, effective May 11, 1989. Rescinded and readopted: Filed Nov. 15, 2001.*

*PUBLIC COST: This proposed rule will cost state agencies or political subdivisions an estimated six hundred seventy-five dollars (\$675) annually for the life of the rule. It is anticipated that the cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE  
PUBLIC ENTITY COST**

**I. RULE NUMBER**

Title: 4 - Department of Economic Development

Division 40 – Office of Athletics

Chapter: 1 – General Organization and Procedures

Type of Rulemaking: Proposed Rule

Rule Number and Name: 4 CSR 40-5.030 Rules for Professional Wrestling

Prepared November 1, 2001 by the Division of Professional Registration and Office of Athletics.

<b>II. SUMMARY OF FISCAL IMPACT</b>	
<b>Affected Agency or Political Subdivision</b>	<b>Estimated Annual Cost of Compliance</b>
Office of Athletics (15 drug tests annually deemed necessary by Office of Athletic Inspectors - \$45 per test)	\$675
<b>Total annual cost for the life of the rule</b>	
	<b>\$675</b>

**III. WORKSHEET**

- See table above

**IV. ASSUMPTIONS**

- The number of entities by class are based on actual figures from FY00 and projected figures in FY01.
- The total costs will recur each year for the life of the rule, may vary with inflation and are expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 40—Office of Athletics  
Chapter 5—Inspector Duties for Boxing, Wrestling,  
Karate and Semiprofessional Elimination Contests**

**PROPOSED RESCISSION**

**4 CSR 40-5.040 Rules for Professional Boxing.** This rule described the authorized practices to be employed for professional boxing exhibitions.

*PURPOSE: This rule is being rescinded and readopted to clarify the authorized practices to be employed for professional boxing contests.*

*AUTHORITY: section 317.006, RSMo 1986. Original rule filed April 30, 1982, effective Sept. 11, 1982. Rescinded and readopted: Filed March 2, 1989, effective May 11, 1989. Amended: Filed July 25, 1994, effective Jan. 29, 1995. Rescinded: Filed Nov. 15, 2001.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rescission is estimated to cost private entities less than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

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Chapter 5—Inspector Duties and Rules for Professional  
Boxing, Professional Wrestling, Professional  
Kickboxing, and Professional Full-Contact Karate**

**PROPOSED RULE**

**4 CSR 40-5.040 Rules for Professional Boxing**

*PURPOSE: This rule describes the authorized practices to be employed for professional boxing contests.*

(1) No bout shall exceed twelve (12) rounds nor be less than four (4) rounds. Rounds involving male contestants shall be no more than three (3) minutes in length with a one (1) minute rest period in between rounds. Rounds involving females shall be no more than two (2) minutes in length with a one (1) minute rest period between rounds.

(2) Before a contest permit will be issued, each professional boxing contest shall include a scheduled main bout of at least eight (8) rounds and at least one (1) semi-main bout of at least six (6) rounds. The remaining bouts may not be less than four (4) rounds each. A contest must have a minimum of four (4) bouts totaling not less than twenty-four (24) rounds. The Office of Athletics may waive any of these restrictions at its discretion.

(3) No professional boxing bout shall be advertised or promoted as a championship bout unless it has the specific approval of the office.

(4) Contestants shall only fight contestants in their own weight category unless permission is granted by the office. In no instance shall the office waive the weight category requirements, when the contestant's weight span exceeds ten (10) pounds excluding the weight classifications in subsections (L) and (M) of this section. Following is the schedule of weight classification:

(A) Flyweights	108–111 lbs.
(B) Bantamweights	112–118 lbs.
(C) Featherweights	119–126 lbs.
(D) Jr. Lightweights	127–130 lbs.
(E) Lightweights	131–135 lbs.
(F) Jr. Welterweights	136–140 lbs.
(G) Welterweights	141–147 lbs.
(H) Jr. Middleweights	148–154 lbs.
(I) Middleweights	155–160 lbs.
(J) Super Middleweights	161–168 lbs.
(K) Light Heavyweights	169–175 lbs.
(L) Cruiserweights	176–190 lbs.
(M) Heavyweights	over 190 lbs.

**(5) Boxing Contestants.**

(A) For the purpose of engaging in professional boxing contests, a professional is defined as a person who seeks to profit or earn a livelihood by boxing.

(B) No contestant under the age of eighteen (18) years shall be permitted to participate in a boxing contest. No contestant under the age of twenty-one (21) shall be permitted to box more than six (6) rounds until s/he has participated in ten (10) or more professional bouts. No contestant participating in his/her professional debut shall be permitted to box more than six (6) rounds in length for the first ten (10) professional bouts. Contestants may be required to present a birth certificate or picture identification to the office or inspector. False statements of age or other information shall be cause for discipline of the contestant's license. Contestants must complete all forms prescribed by the office. All contestants, upon request of the office or inspector, must furnish the office with a boxing passport or an identification card (ID) issued from his/her home state and a federal identification card issued by the Association of Boxing Commissions.

(C) Contestants in all licensed professional boxing contests shall be examined by a licensed physician at a time approved by the office and physical examinations must be completed at least one (1) hour before the contest time. The weigh-in will be within forty-eight (48) hours prior to the contest. Contestants will then have two (2) hours to make weight. The weights of the contestants or the class in which they will box must be announced at the ringside. In case of a substitution in a bout, the substitute contestant shall be subject to the same physical examination as other contestants and must be approved by the physician and office. Contestants failing to appear at the appointed place and at the specified time to be examined and weighed, or who leave the area before weigh-ins or physical examinations are completed without permission of the office, may subject their license to discipline.

(6) If a contestant claims to be injured during the bout, the referee may stop the bout and request the physician to make an examination. If the physician decides that the contestant has been injured and should not continue, s/he should so advise the referee. If the physician decides that the injured contestant may be able to continue, s/he may order up to a five (5)-minute recovery period, after which s/he will make another examination and again advise the referee of the injured contestant's condition.

(7) If a contestant falls due to fatigue, or is knocked down by his/her opponent, s/he will be allowed ten (10) seconds to rise unassisted. Following a contestant's fall, his/her opponent shall go to the farthest neutral corner and remain there during the count. The referee shall stop counting if the opponent fails to go to the

neutral corner, then resume the count where it was left off when the opponent goes to the neutral corner. A contestant who is knocked out or falls out of the ring shall be allowed twenty (20) seconds to return to the ring.

(8) In case of a knockdown, the eight (8)-count is mandatory.

(9) The office may require a contestant to submit to any physical examination it deems necessary to determine if the contestant is in a physical condition that would allow him/her to participate as a boxing contestant in the future.

(10) Preliminary contestants shall be ready to enter the ring immediately after the finish of the preceding bout. Any contestant causing a delay by not being ready to immediately proceed when called may be subject to discipline.

(11) Any boxing contestant who has participated in a professional bout anywhere shall not participate in a boxing bout in Missouri for at least seven (7) days after the previous bout. Any boxing contestant who is currently on suspension or revocation from any boxing commission, domestic or foreign, shall not participate in any bout in Missouri until the suspension or revocation is lifted.

(12) No person other than the contestants and the referee shall enter the ring during a bout. There shall be no standing or other distractions by seconds or managers while the bouts are in progress. Offenders shall be removed from the corners and their license shall be subject to discipline. The physician may enter the ring if asked by the referee to examine an injury to a contestant.

(13) Handwraps shall not exceed the following restrictions: one (1) winding of surgeon's adhesive tape, not over one and one-half inches (1 1/2") wide, placed directly on the hand to protect the hand near the wrist. The tape may cross the back of the hand twice but shall not extend within one inch (1") of the knuckles when the hand is clenched to make a fist. Contestants shall use soft surgical bandage not over two inches (2") wide, held in place by not more than two feet (2') of surgeon's adhesive tape for each hand. One (1) twenty (20)-yard roll of bandage shall complete the wrappings for each hand. Bandages shall be adjusted in the presence of an inspector and both contestants. Either contestant may waive the privilege of witnessing the bandaging of opponent's hands.

(14) Gloves shall not be twisted or manipulated in any way by the contestants or their seconds. If a glove breaks or a string becomes untied during the bout, the referee will instruct the timekeeper to take time-out while the glove is being adjusted. All gloves shall be at least eight (8) ounces, with the thumb attached.

(15) Contestants must wear proper athletic attire and appropriate protective devices including mouthpiece and protective foul-proof cup. If the mouthpiece comes out during the fight, the referee shall have the second replace the mouthpiece at the first lull in the action.

(16) Only discretionary use of Vaseline and/or similar petroleum based products, and nothing else will be allowed on the face, arms or any part of the body.

(17) Twenty (20) points shall be the maximum number scored in any round. The round winner will receive ten (10) points and his/her opponent proportionately less. If the round is even, each contestant will receive ten (10) points.

(18) A boxer will be deemed down when any part of the body other than the feet is on the floor or when s/he is hanging helplessly over or on the ring ropes (but even then s/he is not officially down until

so pronounced by the referee, who may count him/her out on the ropes, on the floor or while rising from a down position).

(19) The following tactics or actions shall be fouls:

- (A) Hitting below the belt;
- (B) Hitting an opponent who is down or is getting up after being down;
- (C) Holding an opponent with one (1) hand and hitting with the other;
- (D) Holding or deliberately maintaining a clinch;
- (E) Wrestling or kicking;
- (F) Striking an opponent who is helpless as a result of blows but is supported by the ropes and does not fall;
- (G) Butting with the head or shoulder or using the knee;
- (H) Hitting with the open glove or with the butt of the hand, the wrist or the elbow or backhand blows;
- (I) Purposely going down without being hit;
- (J) Deliberately striking the body over the kidneys;
- (K) Using the pivot blow or deliberately using the rabbit punch;
- (L) Jabbing the opponent's eyes with the thumb of the glove;
- (M) Using abusive language in the ring;
- (N) Using any unsportsmanlike trick or action;
- (O) Hitting on the break;
- (P) Hitting after the bell has sounded ending the round;
- (Q) Roughing at the ropes;
- (R) Pushing an opponent about the ring or into the ropes;
- (S) Spitting out the mouthpiece intentionally;
- (U) Biting; and
- (T) Any other actions that are deemed fouls by the referee that are not described above and approved by the inspector shall be called by the referee.

(20) For the fouls listed in section (19), the referee may penalize a contestant by warning the contestant, taking a point(s) or disqualifying the contestant.

(21) Injuries sustained by fouls:

- (A) Intentional Fouls.
  - 1. If an intentional foul causes an injury, and the injury is severe enough to terminate a bout immediately, the boxer causing the injury shall lose by disqualification.
  - 2. If an intentional foul causes an injury and the bout is allowed to continue, the referee will notify the authorities and deduct two (2) points from the boxer who caused the foul. Point deductions for intentional fouls will be mandatory.
  - 3. If an intentional foul causes an injury and the injury results in the bout being stopped in a later round, the injured boxer will win by technical decision if s/he is ahead on the scorecards or the bout will result in a technical draw if the injured boxer is behind or even on the scorecards.
  - 4. If a boxer injures him/herself while attempting to intentionally foul his/her opponent, the referee will not take any action in his/her favor, and this injury will be the same as one produced by a fair blow.
  - 5. If the referee feels that a boxer has conducted him/herself in an unsportsmanlike manner s/he may stop the bout and disqualify the boxer.
- (B) Accidental Fouls.
  - 1. If an accidental foul causes an injury severe enough for the referee to stop the bout immediately, the bout will result in a no contest if stopped before four (4) completed rounds.
  - 2. If an accidental foul causes an injury severe enough for the referee to stop the bout immediately, after four (4) rounds have been completed, the bout will result in a technical decision, awarded to the boxer who is ahead on the scorecards at the time the bout is stopped. A partial or incomplete round will be scored. If no action has occurred, the round should be scored as an even round. This is at the discretion of the judges.



3. A fighter who is hit with an accidental low blow must continue after a reasonable amount of time but no more than five (5) minutes or s/he will lose the fight by technical knockout.

(22) In case of a cut, the referee may consult the physician to determine if the bout shall be stopped or can continue. If the physician steps on the ring apron, the referee must have the injured contestant examined by the physician. Final authority rests with the referee. If the boxer who is cut by legal blows cannot continue, that boxer shall lose by technical knockout.

(23) The office may discipline the license of any contestant, manager, matchmaker, judge, second or any official who is guilty of unfair dealings, unsportsmanlike conduct, protesting the decisions of the officials in an unsportsmanlike manner or violating any rules. Any boxing second or manager who acts in an unsportsmanlike manner may immediately be removed from their contestant's corner.

(24) Before a felled contestant resumes fighting after slipping, falling or being knocked to the floor, the referee shall wipe the contestant's gloves free of any foreign substance.

*AUTHORITY: sections 317.006 and 317.015, RSMo 2000. Original rule filed April 30, 1982, effective Sept. 11, 1982. Rescinded and readopted: Filed March 2, 1989, effective May 11, 1989. Amended: Filed July 25, 1994, effective Jan. 29, 1995. Rescinded and readopted: Filed Nov. 15, 2001.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

#### **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

##### **Division 40—Office of Athletics**

##### **Chapter 5—Inspector Duties for Boxing, Wrestling, Karate and Semiprofessional Elimination Contests**

#### **PROPOSED RESCISSION**

**4 CSR 40-5.050 Rules for Amateur Boxing.** This rule described the rules for conducting amateur boxing exhibitions.

*PURPOSE: The Office of Athletics is proposing to rescind this rule.*

*AUTHORITY: section 317.006, RSMo 1986. Original rule filed April 30, 1982, effective Sept. 11, 1982. Rescinded and readopted: Filed March 12, 1989, effective May 11, 1989. Rescinded: Filed Nov. 15, 2001.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

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#### **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

##### **Division 40—Office of Athletics**

##### **Chapter 5—Inspector Duties for Boxing, Wrestling, Karate and Semiprofessional Elimination Contests**

#### **PROPOSED RESCISSION**

**4 CSR 40-5.060 Rules for Professional and Amateur Full-Contact Karate.** This rule set forth the official professional and amateur regulations of full-contact karate including kickboxing, kung fu, tae kwan-do or any form of martial arts.

*PURPOSE: This rule is being rescinded and readopted to set forth the official regulations of professional kickboxing and professional full-contact karate including kickboxing, kung fu, tae kwan-do or any form of martial arts.*

*AUTHORITY: section 317.006, RSMo 1986. Original rule filed March 12, 1989, effective May 11, 1989. Rescinded: Filed Nov. 15, 2001.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

#### **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

##### **Division 40—Office of Athletics**

##### **Chapter 5—Inspector Duties and Rules for Professional Boxing, Professional Wrestling, Professional Kickboxing, and Professional Full-Contact Karate**

#### **PROPOSED RULE**

**4 CSR 40-5.060 Rules for Professional Kickboxing and Professional Full-Contact Karate**

*PURPOSE: This rule sets forth the official professional regulations of professional kickboxing and professional full-contact karate including kickboxing, kung fu, tae kwan-do or any form of martial arts.*

(1) Gloves shall be leather and of the regular boxing type. No karate-type hand gear or any hand gear that does not fully cover the hand will be allowed. Glove weight shall be eight to sixteen (8–16) ounces.

(2) All male contestants are required to wear a foul-proof groin protector. All female contestants are required to wear plastic breast protectors and a protective pelvic girdle.

(3) All contestants are required to use a mouthpiece. If a contestant loses a mouthpiece during a round, the mouthpiece must be replaced when there is a lull in the action.

(4) Handwraps shall not exceed the following restrictions: one (1) winding of surgeon's adhesive tape, not over one and one-half inches (1 1/2") wide, placed directly on the hand to protect the hand near the wrist. The tape may cross the back of the hand twice but shall not extend within one inch (1") of the knuckles when the hand is clenched to make a fist. Contestants shall use soft surgical bandage not over two inches (2") wide, held in place by not more than two feet (2') of surgeon's adhesive tape for each hand. One (1) twenty (20)-yard roll of bandage shall complete the wrappings for each hand. Bandages shall be adjusted in the presence of an inspector and both contestants. Either contestant may waive the privilege of witnessing the bandaging of opponent's hands.

(5) The weigh-in will be conducted within forty-eight (48) hours before the contest. The weigh-ins may be more than forty-eight (48) hours prior to the contest with special permission from the office. A contestant who fails to make the weight will be given up to two (2) hours to make required weight. Any contestant who fails to make the weight may be disqualified.

(6) Contestants shall only fight contestants in their own weight category unless permission is granted by the office. In no instance shall the office waive the weight category requirements, when the contestant's weight span exceeds ten (10) pounds the weight classifications in subsections (L) and (M) of this section. Following is the schedule of weight classification:

(A) Flyweights	108-111 lbs.
(B) Bantamweights	112-118 lbs.
(C) Featherweights	119-126 lbs.
(D) Jr. Lightweight	127-130 lbs.
(E) Lightweight	131-135 lbs.
(F) Jr. Welterweights	136-140 lbs.
(G) Welterweights	141-147 lbs.
(H) Jr. Middleweights	148-154 lbs.
(I) Middleweights	155-160 lbs.
(J) Super Middleweights	161-168 lbs.
(K) Light Heavyweights	169-175 lbs.
(L) Cruiserweights	176-190 lbs.
(M) Heavyweights	over 190 lbs.

(7) The referee shall have general supervision of the bout. S/he enforces the rules, promotes safety of the contestants and ensures fair play. Only the inspector may overrule the referee if the referee is not enforcing the rules. Before starting a bout the referee shall ascertain from each contestant the name of his/her chief second who shall be held responsible for the conduct of the assistant seconds during the progress of the bout. The referee shall call contestants together before each bout for final instructions, at which time each contestant shall be accompanied by the chief second only.

(8) The three (3) judges shall be stationed at ringside, each at a separate side. The judges will score each round on a ten (10)-point must system and turn the scorecards over to the referee after each round. The referee will then hand the scorecards to the inspector. A final decision must be made before the judges may leave the area. Any erasures or changes on the card must be approved and initialed by the judge and inspector.

(9) The attending physician will have an adequate room in which to make the physical examination. Whenever a contestant, because

of illness or injuries, is unable to take part in a contracted bout, s/he or his/her manager must immediately report the fact to the inspector. The contestant will then submit to an examination by a physician designated by the office. Contestants who have been knocked out will be kept lying down until they have recovered. When a contestant is knocked out, no one will touch him/her except the referee who will remove his/her mouthpiece, until the ringside physician enters the ring and personally attends the contestant and issues necessary instructions to the contestant's second(s).

(10) Rounds involving male contestants shall be no more than three (3) minutes in length with a one (1) minute rest period between rounds. Rounds involving females shall be no more than two (2) minutes in length with a one (1) minute rest period between rounds. The maximum number of rounds for males and females shall be twelve (12) rounds.

(11) Any contestant guilty of foul tactics in a round shall be given an immediate warning or points may be deducted from the contestant's total score, or both, as determined by the referee. The use of foul tactics also may result in the disqualification of the contestant. The following tactics are considered fouls:

- (A) Headbutts, knee strikes, elbow strikes or clubbing blows with the hand;
- (B) Striking the groin, woman's breast, the spine, throat, collarbone or that part of the body over the kidneys;
- (C) Palm heel strikes;
- (D) Antijoint techniques;
- (E) Jabbing the eye with the thumb of the glove;
- (F) Hitting with the glove open, or with the wrist or forearm;
- (G) Grabbing or holding onto an opponent's leg or foot;
- (H) Holding an opponent with one hand and hitting with the other;
- (I) Leg checking the opponent's leg or stepping on the opponent's foot to prevent the opponent from moving or kicking;
- (J) Purposely going down without being hit;
- (K) Using abusive language in the ring;
- (L) Unsportsmanlike conduct;
- (M) Attacking on the break;
- (N) Attacking after the bell has sounded ending the round;
- (O) Intentionally pushing, shoving or wrestling an opponent out of the ring;
- (P) Biting; and
- (Q) Any other actions that are deemed fouls by the referee or inspector that are not described above shall be called by the referee and appropriate action shall be taken by the referee.

(12) Contestants may be subject to minimum kickboxing requirements pursuant to an agreement with the promoter and the office.

(13) A contestant who intentionally refuses to engage an opponent for a prolonged period of time shall receive an immediate warning from the referee. If the contestant continues these tactics after a warning, a point will be deducted by the referee.

(14) The referee shall stop the bout for any of the following reasons:

- (A) The referee determines that one (1) of the contestants is clearly less experienced and/or skilled than his/her opponent to the extent that allowing the bout to continue would pose a substantial risk of serious harm or injury to the less-experienced/skilled contestant;
- (B) The referee decides that a contestant is not making his/her best effort; or
- (C) For any other reason the referee deems sufficient.

(15) In the event of serious cuts or injuries, the referee shall summon the physician who shall decide if the bout should be stopped.

(16) If a contestant fails or refuses to resume fighting when the bell sounds starting the next round, the referee will award a technical knockout to his/her opponent as of the last completed round.

(17) Before a felled contestant resumes fighting after slipping, falling or being knocked to the floor, the referee shall wipe the contestant's gloves free of any foreign substance.

(18) When a contestant is knocked down, the referee shall order the opponent to retire to the corner of the ring, point to the corner and immediately begin the count over the downed contestant. The referee will pick up the count from the timekeeper and audibly announce the passing seconds, accompanying the count with arm motions. Any time a contestant is knocked down, the referee will automatically begin a mandatory eight (8) count and then, if the contestant appears able to continue, will allow the bout to resume. If a contestant who is down, rises before the count of ten (10) is reached and goes down immediately without being struck, the referee shall resume the count where it was left off. If the contestant is still down when the referee calls the count of ten (10), the referee will wave both arms to indicate that the contestant has been knocked out and will signal that the opponent is the winner. If a round ends before the referee reaches ten (10), the contestant must still rise before the count of ten (10) to avert a knockout. A contestant will be declared knocked down when, as a result of any legal blow or strike, any portion of the contestant's body other than the feet touches the floor.

(19) The referee, at his/her discretion, may request that the attending physician examine a contestant during the bout. Should the examination occur during the course of a round, the clock shall be stopped until the examination is completed. The physician may order the referee to stop the bout. The referee will then render the appropriate decision.

(20) Injuries sustained by fouls:

(A) Intentional Fouls.

1. If an intentional foul causes an injury, and the injury is severe enough to terminate a bout immediately, the contestant causing the injury shall lose by disqualification.

2. If an intentional foul causes an injury and the bout is allowed to continue, the referee will notify the authorities and deduct two (2) points from the contestant who caused the foul. Point deductions for intentional fouls will be mandatory.

3. If an intentional foul causes an injury and the injury results in the bout being stopped in a later round, the injured contestant will win by technical decision if s/he is ahead on the scorecards or the bout will result in a technical draw if the injured contestant is behind or even on the scorecards.

4. If a contestant injures him/herself while attempting to intentionally foul his/her opponent, the referee will not take any action in his/her favor, and this injury will be the same as one produced by a fair blow.

5. If the referee feels that a contestant has conducted him/herself in an unsportsmanlike manner s/he may stop the bout and disqualify the contestant.

(B) Accidental Fouls.

1. If an accidental foul causes an injury severe enough for the referee to stop the bout immediately, the bout will result in a no contest if stopped before four (4) completed rounds.

2. If an accidental foul causes an injury severe enough for the referee to stop the bout immediately after four (4) rounds have been completed, the bout will result in a technical decision awarded to the contestant who is ahead on the scorecards at the time the bout is stopped. A partial or incomplete round will be scored. If

no action has occurred, the round should be scored as an even round. This is at the discretion of the judges.

3. A contestant who is hit with an accidental low blow must continue after a reasonable amount of time but no more than five (5) minutes or s/he will lose the fight by technical knockout.

*AUTHORITY: section 317.006, RSMo 2000. Original rule filed March 12, 1989, effective May 11, 1989. Rescinded and readopted: Filed Nov. 15, 2001.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

## **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

### **Division 40—Office of Athletics**

#### **Chapter 5—Inspector Duties for Boxing, Wrestling, Karate and Semiprofessional Elimination Contests**

#### **PROPOSED RESCISSION**

**4 CSR 40-5.070 Semiprofessional Elimination Contest.** This rule established the rules for conducting semiprofessional elimination contest.

*PURPOSE: The Office of Athletics is proposing to rescind this rule.*

*AUTHORITY: sections 317.001(7) and 317.006(1), RSMo 1986. Original rule filed July 25, 1994, effective Jan. 29, 1995. Emergency amendment filed Aug. 16, 1996, effective Aug. 28, 1996, expired Feb. 23, 1997. Rescinded: Filed Nov. 15, 2001.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

## **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

### **Division 40—Office of Athletics**

#### **Chapter 6—Facilities**

#### **PROPOSED RESCISSION**

**4 CSR 40-6.010 Facility and Equipment Requirements.** This rule clarified what is the average time an inspector spends in performing the duties outlined in this rule.

*PURPOSE: The rule is being rescinded and readopted to more clearly define the minimum facility requirements for the conduct of a professional boxing or wrestling contest, except where the context clearly requires otherwise.*

*AUTHORITY: section 317.006, RSMo 1986. Original rule filed April 30, 1982, effective Sept. 11, 1982. Amended: Filed March 2, 1989, effective May 11, 1989. Rescinded: Filed Nov. 15, 2001.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 40—Office of Athletics  
Chapter 6—Facilities**

**PROPOSED RULE**

**4 CSR 40-6.010 Facility and Equipment Requirements**

*PURPOSE: The purpose of this rule is to define the minimum facility requirements for the conduct of a professional boxing, professional kickboxing, professional martial arts or wrestling contest, except where the context clearly requires otherwise.*

(1) The ring shall not be less than sixteen (16) nor more than twenty feet (20') inside the ropes. The apron of the ring floor shall extend beyond the ropes not less than two feet (2'). The ring shall not be more than four feet (4') above the floor of the building or grounds of an outdoor arena and shall be provided with suitable steps for the use of contestants, managers, seconds and officials.

(2) The ring shall be equipped with at least three (3) ropes and not more than four (4) ropes. The ropes shall be not less than one inch (1") in diameter. These ropes shall be manila ropes, synthetic, plastic rope or any similar material and shall not be made of metal of any type. All ropes shall be wrapped securely in soft material. If three (3) ropes are used they shall extend in triple parallel lines, two feet (2'), three feet (3') and four feet (4') above the ring floor. If four (4) ropes are used, the lower rope shall be eighteen inches (18") above the ring floor, the second rope thirty inches (30"), the third rope forty-two inches (42") and the fourth rope fifty-four inches (54") above the ring floor. The ring floor shall be padded with a one-inch (1") layer of Ensolite or foam rubber (or equivalent) which is placed on a one-inch (1") base of Celotex (building board). The padding shall be covered with canvas, duck or similar material tightly stretched and laced securely in place.

(3) Ring posts shall not be less than three inches (3") or more than four inches (4") in diameter, extending from the floor of the building to the height fifty-eight inches (58") above the ring floor. The ring posts shall not be closer than eighteen inches (18") to the ring ropes. The turnbuckles must be covered with a protective padding.

(4) The gong, bell, buzzer or horn which is used must be sufficiently loud so that the officials and contestants can hear it clearly. The ten (10)-second warning may be by whistle or buzzer.

(5) Spectator seats shall not be closer than eight feet (8') from the outside edge of the apron of the ring. A physical barrier shall be placed designating eight feet (8') from the ring. The ringside area shall be under the jurisdiction of the office for the use of designated working officials, contestants, their seconds, judges, referees, physicians, announcer and medical representatives. Promoters are responsible for seeing that the working area is controlled and free of nonessential individuals. The promoter is also responsible for ensuring that no person is smoking within eight feet (8') of the ring.

(6) All gloves will be furnished by the promoter and shall be new or in good condition.

(7) Promoters must have an extra set of gloves for each size glove used during the contest, to be used in case gloves are broken or in any way damaged during the course of about.

(8) Scales shall be furnished by the promoter and shall be thoroughly tested and approved by the inspector prior to use in connection with any contest.

*AUTHORITY: section 317.006, RSMo 2000. Original rule filed April 30, 1982, effective Sept. 11, 1982. Amended: Filed March 2, 1989, effective May 11, 1989. Rescinded and readopted: Filed Nov. 15, 2001.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 40—Office of Athletics  
Chapter 7—Disciplinary and Appeals Procedures**

**PROPOSED RESCISSION**

**4 CSR 40-7.010 Disciplinary and Appeals Procedures.** This rule described the grounds for refusal to issue or renew, suspend or revoke licenses granted under Chapter 317, RSMo and to provide for appeals.

*PURPOSE: This rule is being rescinded and readopted to redefine the disciplinary and appeals procedure.*

*AUTHORITY: section 317.006, RSMo 1986. Original rule filed April 30, 1982, effective Sept. 11, 1982. Rescinded and readopted: Filed March 2, 1989, effective May 11, 1989. Rescinded: Filed Nov. 15, 2001.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST:* This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 40—Office of Athletics  
Chapter 7—Disciplinary and Appeals Procedures**

**PROPOSED RULE**

**4 CSR 40-7.010 Disciplinary and Appeals Procedures**

*PURPOSE:* This rule describes the grounds for refusal to issue or renew, suspend or revoke licenses granted under Chapter 317, RSMo and to provide for appeals.

(1) Complaints Against Licensees. Any person wishing to make a complaint against a licensee under sections 317.001–317.021, RSMo shall file the written complaint with the office setting forth supporting details. If the office determines after an investigation, that the charges warrant discipline on the license, the office shall:

(A) File a complaint with the Administrative Hearing Commission (AHC) as provided by Chapter 621, RSMo; or

(B) Engage in formal settlement negotiations with the licensee as provided by section 621.045.3, RSMo.

(2) Any person holding more than one (1) license issued by the office and disciplined under one (1) license will automatically be disciplined under all.

(3) If a formal complaint is filed, the proceeding shall be conducted in accordance with the provisions of Chapter 621, RSMo. If the Administrative Hearing Commission finds that grounds for disciplinary action are met, the office, singly or in combination, may place the person named in the complaint on probation on appropriate terms and conditions for a period not to exceed five (5) years, it may suspend the person's license for a period not to exceed three (3) years or it may revoke the person's license.

(4) Any party may contest the outcome of any bout within ten (10) days of the decision by writing all the facts and the basis for the complaint. The complaint must be forwarded to the office. If there appears to be a violation of these rules, the director or his/her designate shall investigate, and, if the claims seem to be substantial, hold a hearing and issue its findings and decision.

*AUTHORITY:* section 317.006, RSMo 2000. Original rule filed April 30, 1982, effective Sept. 11, 1982. Rescinded and readopted: Filed March 2, 1989, effective May 11, 1989. Rescinded and readopted: Filed Nov. 15, 2001.

*PUBLIC COST:* This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rule with the Office of Athletics, PO Box 1335, Jefferson City, MO 65102. To be con-

sidered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 255—Missouri Board for Respiratory Care  
Chapter 2—Licensure Requirements**

**PROPOSED AMENDMENT**

**4 CSR 255-2.010 Application for Licensure.** The board is proposing to add a new section (7).

*PURPOSE:* Pursuant to House Bill 567 of the 91st General Assembly, this amendment requires an applicant to complete the licensure process within six (6) months of the board's receipt of the application.

**(7) No application for licensure will remain valid if the applicant fails to complete the licensure process as outlined in this rule within six (6) months of receipt of the application by the board. Any failure of the applicant to complete the licensure process will result in a forfeiture of all fees paid to the board.**

*AUTHORITY:* sections 334.800, 334.840.2[,] and 334.850(2), (4), (6), RSMo 2000 and 334.870, [RSMo Supp. 1997] as amended by HB 567 (2001). Emergency rule filed June 25, 1998, effective July 6, 1998, expired Feb. 25, 1999. Original rule filed June 25, 1998, effective Jan. 30, 1999. Amended: Filed Nov. 15, 2001.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Respiratory Care, PO Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 255—Missouri Board for Respiratory Care  
Chapter 2—Licensure Requirements**

**PROPOSED AMENDMENT**

**4 CSR 255-2.020 Application for Temporary Permit.** The board is proposing to add a new section (9).

*PURPOSE:* Pursuant to House Bill 567 of the 91st General Assembly, this amendment requires an applicant to complete the licensure process within six (6) months of the board's receipt of the application.

**(9) No application for temporary permit will remain valid if the applicant fails to complete the licensure process as outlined in this rule within six (6) months of receipt of the application by the board. Any failure of the applicant to complete the licensure process will result in a forfeiture of all fees paid to the board.**

*AUTHORITY:* sections 334.800, 334.840.2[,] and 334.850, RSMo 2000 and 334.890.2 and 3, as amended by HB 567 (2001). Emergency rule filed June 25, 1998, effective July 6, 1998, expired Feb. 25, 1999. Original rule filed June 25, 1998, effective Jan. 30, 1999. Amended: Filed Jan. 31, 2001, effective Aug. 30, 2001. Amended: Filed Nov. 15, 2001.

*PUBLIC COST:* This proposed amendment will not cost public entities or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost state agencies more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Respiratory Care, PO Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 255—Missouri Board for Respiratory Care  
Chapter 2—Licensure Requirements**

**PROPOSED AMENDMENT**

**4 CSR 255-2.030 Application for an Educational Permit.** The board is proposing to amend section (5) and add a new section (9).

*PURPOSE:* Pursuant to House Bill 567 of the 91st General Assembly, this amendment requires an applicant to complete the licensure process within six (6) months of the board's receipt of the application.

(5) The applicant shall submit a full set of fingerprints on the form provided by the board and the appropriate fee pursuant to rules promulgated by the board. *[The fingerprint requirement will be waived if the applicant previously submitted fingerprints for a temporary permit issued by the board within the year prior to application for an educational permit.]*

(9) No application for an educational permit will remain valid if the applicant fails to complete the licensure process as outlined in this rule within six (6) months of receipt of the application by the board. Any failure of the applicant to complete the licensure process will result in a forfeiture of all fees paid to the board.

*AUTHORITY:* sections 334.800, 334.840.2, 334.850, RSMo 2000 and 334.890.1 and 334.890.3, as amended by HB 567 (2001). Emergency rule filed June 25, 1998, effective July 6, 1998, expired Feb. 25, 1999. Original rule filed June 25, 1998, effective Jan. 30, 1999. Amended: Filed Jan. 31, 2001, effective Aug. 30, 2001. Amended: Filed Nov. 15, 2001.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Respiratory Care, PO Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within

thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 10—DEPARTMENT OF NATURAL RESOURCES  
Division 100—Petroleum Storage Tank Insurance Fund  
Board of Trustees  
Chapter 3—Transport Load Fee**

**PROPOSED AMENDMENT**

**10 CSR 100-3.010 Assessment of Transport Load Fee.** The board proposes to amend section (2).

*PURPOSE:* This amendment reflects changes made to section 319.132, RSMo by the 91st General Assembly. Whereas the amount of the transport load fee was previously set by this regulation, it can now be increased or decreased by the Board of Trustees of the Petroleum Storage Tank Insurance Fund, as long as certain procedural requirements are met.

(2) Such surcharge shall be *[assessed at the rate of twenty-five dollars (\$25) per eight thousand (8,000) gallons of petroleum product.]* set by the board in a public meeting with an opportunity for public comment.

(A) The board may increase or decrease the surcharge only after giving sixty (60) days notice.

(B) The surcharge shall not exceed sixty dollars (\$60) per eight thousand (8,000) gallons.

*AUTHORITY:* sections 319.129 and 319.132, RSMo *[Supp. 1998]* Supp. 2001. Original rule filed April 1, 1999, effective Nov. 30, 1999. Amended: Filed Nov. 15, 2001.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Executive Director of the Petroleum Storage Tank Insurance Fund, PO Box 836, Jefferson City, MO 65102. To be accepted, written comments must be postmarked by midnight on January 16, 2002. Faxed correspondence will be accepted; e-mail correspondence will not be accepted. No public hearing is scheduled.

Please direct all inquiries to the Executive Director of the Petroleum Storage Tank Insurance Fund Board at (573) 522-2352.

**Title 10—DEPARTMENT OF NATURAL RESOURCES  
Division 100—Petroleum Storage Tank Insurance Fund  
Board of Trustees  
Chapter 4—Participation Requirements**

**PROPOSED AMENDMENT**

**10 CSR 100-4.010 Participation Requirements for Underground Storage Tanks.** The board proposes to amend section (2) of the rule.

*PURPOSE:* Immediately following the "upgrade deadline" of Dec. 22, 1998, imposed by U.S. EPA and Missouri Department of Natural Resources, it was possible for an underground tank owner or operator to cease using his tanks, put them into "temporary closure" for up to twelve (12) months, and still be in compliance with federal and state environmental regulations. At that

*time, such owners or operators could apply for and receive insurance coverage from the Petroleum Storage Tank Insurance Fund. Since that twelve (12)-month period has passed, however, the fund is no longer accepting applications for tanks that are out of use. This amendment clarifies this change.*

(2) The following procedures shall be utilized to apply for insurance coverage for underground storage tanks *[which are in use or temporarily closed in accordance with 10 CSR 20-10.070]*:

(E) Applications shall include documentation as required by the board to demonstrate that the applicant has a reasonable assurance of the integrity of all USTs on the site which are in use *[or temporarily closed]*. This documentation shall include:

1. A minimum of two (2) months' leak detection records;
2. Evidence that pressurized lines are equipped with line leak detectors which are in working order, unless the entire UST system is a double-wall system, and monitoring devices are adequate to detect a leak;
3. Evidence that the cathodic protection system, if any, is functioning properly;
4. Evidence that the tank lining, if any, has been properly installed and inspected according to accepted industry practices;
5. Evidence that the UST is equipped with corrosion protection and spill/overflow prevention devices, as required in 10 CSR 20-10;
6. Line and/or tank tightness tests, as required in 10 CSR 20-10; and
7. Any other documentation as may reasonably be required by the board;

**AUTHORITY:** sections 319.129, 319.131 and 319.133, RSMo [Supp. 1998] Supp. 2001. Original rule filed April 1, 1999, effective Nov. 30, 1999. Amended: Filed Nov. 15, 2001.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Executive Director of the Petroleum Storage Tank Insurance Fund, PO Box 836, Jefferson City, MO 65102. To be accepted, written comments must be postmarked by midnight on January 16, 2002. Faxed correspondence will be accepted; e-mail correspondence will not be accepted. No public hearing is scheduled.

Please direct all inquiries to the Executive Director of the Petroleum Storage Tank Insurance Fund Board at (573) 522-2352.

## **Title 10—DEPARTMENT OF NATURAL RESOURCES**

### **Division 100—Petroleum Storage Tank Insurance Fund**

#### **Board of Trustees**

#### **Chapter 4—Participation Requirements**

### **PROPOSED AMENDMENT**

**10 CSR 100-4.020 Participation Requirements for Aboveground Storage Tanks.** The board proposes to amend subsections (2)(B) and (E) and section (5) of the rule and add subsection (5)(E).

**PURPOSE:** This amendment eliminates the requirement that owners or operators of aboveground storage tanks who wish to obtain insurance coverage from the Petroleum Storage Tank Insurance Fund provide a copy of a federally-mandated plan.

(2) The following procedures shall be utilized to apply for insurance coverage for aboveground storage tanks which are in use:

(B) Applications shall include a certification that the petroleum tanks meet or exceed and are in compliance with *[all technical standards established by the U.S. Environmental Protection Agency, and]* rules established by the *[Missouri Department of Natural Resources and the]* Missouri Department of Agriculture~~;~~ and regulations promulgated by the U.S. Environmental Protection Agency (EPA), except those pertaining to spill prevention, control and countermeasure (SPCC) plans;

(E) Applications shall include documentation as required by the board to demonstrate that the applicant has a reasonable assurance of the integrity of all aboveground storage tanks on the site which are in use or temporarily out of use. This documentation shall include:

*[1. A copy of a current Spill Prevention, Control and Countermeasure Plan, as described in 40 CFR Part 112;]*

*[2.]* 1. A demonstration, performed within the previous twelve (12) months, that any pressurized piping which is connected to or part of the aboveground storage tank(s) for which coverage is being sought is liquid tight; and

*[3.]* 2. Other documentation as may reasonably be required by the board;

(5) In order to continue participation in the fund, participants are required to renew their participation annually.

(B) Participants shall submit such information as may be required by the board, including:

*[1. Changes made to their Spill Prevention, Control and Countermeasure (SPCC) Plan, if any;*

*2. Information on SPCC Plan recommendations which have been implemented, if any;]*

*[3.]* 1. A demonstration, performed within the previous twelve (12) months, that any pressurized piping which is connected to or part of the aboveground storage tank(s) for which coverage is being sought is liquid tight; and

*[4.]* 2. Other documentation as may reasonably be required by the board.

(D) Upon determination that the participant has met the requirements for continued participation in the fund, **and that all aboveground tanks being insured are still in use**, the board shall issue a document to the applicant confirming that fact, and specifying the effective date of coverage and other terms and conditions of such coverage as the board may deem appropriate.

(E) If one or more of the previously-insured aboveground storage tanks has been taken out of use and emptied, the owner and/or operator of that tank shall no longer be insured for costs resulting from sudden or non-sudden releases from that tank, since there cannot be a release from an empty tank. Instead, the owner or operator may elect to purchase "tail coverage" to protect against costs of corrective action which may be required as a result of a sudden or non-sudden release which occurred while the tank was in use, but which is not yet known.

1. Participation fees shall be paid on such tanks at the same rate as specified in 10 CSR 20-4.020(3)(A).

2. Coverage provided by the fund shall be limited to one (1) million dollars.

3. A ten thousand dollar (\$10,000) deductible shall apply.

4. Coverage for third-party property damage and third-party bodily injury shall not be provided.

5. All other terms and conditions of coverage provided by the fund shall be contained in the document issued by the board to the fund participant.

6. Such coverage shall not be renewed after the tanks are removed.

*[(E)] (F)* In order to continue participation in the fund, participants shall pay such fees as are set forth in subsection (3)(A). If such fees are not submitted with the renewal application, and the application is accepted, the board shall notify the applicant of the amount of such fees which are due, and shall indicate that such fees are due and payable within ten (10) days. Failure by the applicant to submit such fees in a timely manner shall result in nonrenewal of coverage on the date that such fees were due.

*AUTHORITY: sections 319.129, 319.131 and 319.133, RSMo [Supp. 1998] Supp. 2001. Original rule filed April 1, 1999, effective Nov. 30, 1999. Amended: Filed Nov. 15, 2001.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Executive Director of the Petroleum Storage Tank Insurance Fund, PO Box 836, Jefferson City, MO 65102. To be accepted, written comments must be postmarked by midnight on January 16, 2002. Faxed correspondence will be accepted; e-mail correspondence will not be accepted. No public hearing is scheduled.*

*Please direct all inquiries to the Executive Director of the Petroleum Storage Tank Insurance Fund Board at (573) 522-2352.*

## **Title 10—DEPARTMENT OF NATURAL RESOURCES**

### **Division 100—Petroleum Storage Tank Insurance Fund**

#### **Board of Trustees**

#### **Chapter 5—Claims**

### **PROPOSED AMENDMENT**

**10 CSR 100-5.010 Claims for Cleanup Costs.** The board proposes to amend section (12).

*PURPOSE: This amendment adds a deadline for requesting payment from the Petroleum Storage Tank Insurance Fund.*

(12) When a fund participant or beneficiary incurs costs for cleanup of petroleum contamination, he or she shall comply with the procedures set forth below to request payment from the fund:

(A) Persons requesting payment from the fund must send invoices for the work done, along with a copy of any reports generated by consultants, contractors or laboratories as part of the work, to the address specified by the board. *[Original invoices are requested; if photocopies are submitted, they must be accompanied by a signed statement certifying that the copies are true and accurate;]*

1. Such invoices must be submitted within two (2) years of the date that a letter is issued by the Department of Natural Resources to the fund participant or beneficiary, stating that no additional corrective action is required. Failure to submit invoices within that time frame shall waive the fund participant's or beneficiary's rights, and those of their successors and assigns, to any benefits which would have otherwise been paid by the Petroleum Storage Tank Insurance Fund for such costs.

2. Original invoices are requested; if photocopies are submitted, they must be accompanied by a signed statement certifying that the copies are true and accurate;

*AUTHORITY: sections 319.129, 319.131 and 319.132, RSMo Supp. [1999] 2001. Original rule filed April 1, 1999, effective Nov. 30, 1999. Amended: Filed March 31, 2000, effective Sept. 30, 2000. Amended: Filed Nov. 15, 2001.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Executive Director of the Petroleum Storage Tank Insurance Fund, PO Box 836, Jefferson City, MO 65102. To be accepted, written comments must be postmarked by midnight on January 16, 2002. Faxed correspondence will be accepted; e-mail correspondence will not be accepted. No public hearing is scheduled.*

*Please direct all inquiries to the Executive Director of the Petroleum Storage Tank Insurance Fund Board at (573) 522-2352.*

## **Title 11—DEPARTMENT OF PUBLIC SAFETY**

### **Division 60—Division of Highway Safety**

#### **Chapter 1—Motorcycle Safety Education Program**

### **PROPOSED AMENDMENT**

**11 CSR 60-1.010 Definitions.** The division is amending sections (3) and (7).

*PURPOSE: This amendment will reflect the changes to the Motorcycle Safety Foundation's curriculum used for the Motorcycle Safety Training in the state.*

(3) Experienced rider course *[(ERC)]*—A **current approved Motorcycle Safety Foundation** course of instruction designed to provide experienced motorcyclists with additional skills and knowledge found to be lacking in accident-involved motorcyclists.

(7) Motorcycle *[RiderCourse: Riding and Street Skills Course (MRC:RSS)]* **rider course**—A **current approved Motorcycle Safety Foundation rider** course of instruction designed to teach new or inexperienced motorcyclists basic riding skills and defensive street riding strategies.

*AUTHORITY: section 302.134, RSMo [Supp. 1995] 2000. Original rule filed March 20, 1996, effective Sept. 30, 1996. Amended: Filed Nov. 15, 2001.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Division of Highway Safety, Jackie Allen, Program Specialist, PO Box 104808, Jefferson City, MO 65110-4808. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*



**Title 11—DEPARTMENT OF PUBLIC SAFETY**  
**Division 60—Division of Highway Safety**  
**Chapter 1—Motorcycle Safety Education Program**

**PROPOSED AMENDMENT**

**11 CSR 60-1.040 Student Admission Requirements.** The division is amending section (1).

*PURPOSE:* This amendment will reflect the changes to the Motorcycle Safety Foundation's curriculum used for the Motorcycle Safety Training in the state.

(1) Motorcycle Rider Courses [*Riding and Street Skills courses*] are open to any person who is—

*AUTHORITY:* section 302.134, RSMo [Supp. 1995] 2000. Original rule filed March 20, 1996, effective Sept. 30, 1996. Amended: Filed Nov. 15, 2001.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Division of Highway Safety, Jackie Allen, Program Specialist, PO Box 104808, Jefferson City, MO 65110-4808. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY**  
**Division 60—Division of Highway Safety**  
**Chapter 1—Motorcycle Safety Education Program**

**PROPOSED AMENDMENT**

**11 CSR 60-1.050 Verification of Course Completion.** The division is amending section (1) and deleting the form that follows the rule in the *Code of State Regulations*.

*PURPOSE:* This amendment will reflect the changes to the Motorcycle Safety Foundation's curriculum used for the Motorcycle Safety Training in the state.

(1) The sponsor will issue a Missouri Motorcycle Training Certificate to a student who is at least fifteen and one-half (15 1/2) years (15 years and 182 days) of age and who has successfully completed the approved Motorcycle Rider Course: *Riding and Street Skills Course*. A completion certificate is issued to verify that the student has met the educational and training requirements for a Missouri motorcycle operator's permit or license. A Department of Public Safety serialized completion certificate will be issued by the course sponsor to every student completing the approved Motorcycle Rider Course. **A copy of the completion certificate can be obtained from the Department of Public Safety.**

*AUTHORITY:* section 302.134, RSMo [Supp. 1995] 2000. Original rule filed March 20, 1996, effective Sept. 30, 1996. Amended: Filed Nov. 15, 2001.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Division of Highway Safety, Jackie Allen, Program Specialist, PO Box 104808, Jefferson City, MO 65110-4808. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY**  
**Division 60—Division of Highway Safety**  
**Chapter 1—Motorcycle Safety Education Program**

**PROPOSED AMENDMENT**

**11 CSR 60-1.060 Approved Motorcycle Training Courses.** The division is amending subsections (1)(A) and (1)(B).

*PURPOSE:* This amendment will reflect the changes to the Motorcycle Safety Foundation's curriculum used for the Motorcycle Safety Training in the state.

*PUBLISHER'S NOTE:* The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.

(1) The division adopts the educational, safety, and instructor standards, by reference, of the most current versions of the following Motorcycle Safety Foundation (MSF) courses:

(A) The **current** approved Motorcycle **Safety Foundation Motorcycle Rider Course**, [*Riding and Street Skills course is the Motorcycle Rider Course: Riding and Street Skills (MRC: RSS), Modules 1 through 15,*] or as amended;

(B) The **current** approved experienced rider course/s *are the Experienced Rider Course (ERC)*. The choice of curricula is determined by the size of the riding area. The skill and knowledge tests for the **[ERC] experienced** curricula are not required but may be used at the sponsor's discretion; and

*AUTHORITY:* section 302.134, RSMo [Supp. 1995] 2000. Original rule filed March 20, 1996, effective Sept. 30, 1996. Amended: Filed Nov. 15, 2001.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Division of Highway Safety, Jackie Allen, Program Specialist, PO Box 104808, Jefferson City, MO 65110-4808. To be

*considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 60—Division of Highway Safety  
Chapter 1—Motorcycle Safety Education Program**

**PROPOSED AMENDMENT**

**11 CSR 60-1.100 Quality Assurance Visits.** The division is amending section (3).

*PURPOSE: This amendment will reflect the changes to the Motorcycle Safety Foundation's curriculum used for the Motorcycle Safety Training in the state.*

(3) While conducting the QAV, the evaluator will utilize the same pass/fail criteria as is utilized to evaluate the student teaching portion of the approved motorcycle safety instructor training course. The QAV shall be conducted at least once per certification period *[(three (3) years)] (two (2) years)*. Instructor(s) not meeting the approved criteria will be suspended as outlined in 11 CSR 60-1.030 (relating to motorcycle instructor). Remedial actions necessary to remove the suspension will be determined by the motorcycle rider training program manager of the division, on the recommendation of the program director for motorcycle operator training and may include, but is not limited to:

*AUTHORITY: section 302.134, RSMo [Supp. 1995] 2000. Original rule filed March 20, 1996, effective Sept. 30, 1996. Amended: Filed Nov. 15, 2001.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Division of Highway Safety, Jackie Allen, Program Specialist, PO Box 104808, Jefferson City, MO 65110-4808. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 24—Drivers License Bureau Rules**

**PROPOSED RULE**

**12 CSR 10-24.470 Procedure for Obtaining a "J88" Notation on a Drivers License for Deafness or Hard of Hearing**

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.*

*PURPOSE: This rule establishes the procedures for an individual to obtain a "J88" (Deaf or Hard of Hearing) notation on a drivers license as provided in section 302.174, RSMo.*

(1) An applicant for a drivers license, non-drivers license, or permit may request that a notation be placed on the applicant's license, non-drivers license or permit which indicates that the person is deaf or hard of hearing. For purposes of this rule such notation shall be shown as "J88" on the license or permit document.

(2) In order to obtain the "J88" notation an applicant at the time of application for an initial, renewal or duplicate license, non-drivers license or permit shall inform the license office personnel completing the transaction of his or her intent to have the notation displayed on the license, non-drivers license or permit. In addition, the applicant shall provide one of the following documents which indicates that the person is deaf or hard of hearing:

(A) Medical statement from a licensed medical professional;

(B) Statement from an approved or authorized agency as indicated in section (3) of this rule; or

(C) Certified affidavit form, incorporated by reference, shall be used when an applicant certifies that he or she is deaf or hearing impaired.

(3) Agencies or programs authorized to provide documentation that a license, non-drivers license or permit applicant is deaf or hearing impaired shall include but not be limited to the following:

(A) The Missouri Commission for the Deaf;

(B) Social Security Administration;

(C) A vocational rehabilitation program;

(D) A federal, state or county department of health; or

(E) An independent living center.

(4) The director of revenue shall have authorization to review and determine acceptability of any documentation from an agency or program not listed in section (3) of this rule.

*AUTHORITY: section 302.174, RSMo Supp. 2001. Original rule filed Nov. 15, 2001.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 70—Division of Medical Services  
Chapter 10—Nursing Home Program**

**PROPOSED AMENDMENT**

**13 CSR 70-10.050 Pediatric Nursing Care Plan.** The division is amending sections (3), (4), (7), (11), and (12).

*PURPOSE: This amendment splits capital from the level-of-care ceiling and establishes a fair rental value methodology for determination of the capital per-diem rate for new pediatric long-term care facilities.*

## (3) General Principles.

(E) The Medicaid per-diem rate shall be the lesser of—

1. The average private pay rate;
2. The Medicare (Title XVIII) per-diem rate, if applicable;
3. The per-diem rate as determined in accordance with section (11); or

4. The level-of-care ceiling. Effective July 1, 1999, the level-of-care ceiling shall be the weighted average Medicaid allowable cost for all participating pediatric nursing facilities as determined from their 1992 cost reports adjusted by the same percentages stated in 13 CSR 70-10.015 for 1992 cost reports and any negotiated trend factors effective through July 1, 1999. The weighted average rate is three hundred twenty-one dollars and forty-five cents (\$321.45) as of July 1, 1999. **Effective January 1, 2002, the level-of-care ceiling will be split for that portion related to the patient care and general and administrative per diems and for that portion related to the capital per diem. The level-of-care ceiling for patient care and general and administrative per diems effective January 1, 2002, is three hundred eighteen dollars and sixty-three cents (\$318.63) and the capital per diem level-of-care ceiling is seven dollars and forty-four cents (\$7.44). For any facility which the capital per-diem rate is calculated based on subparagraph (11)(A)3.B., the fair rental value system, the capital per-diem level-of-care ceiling will not be applied.** The level-of-care ceiling shall be adjusted by the negotiated trend factor given in subsection (13)(A) or any global adjustment in section (13) of 13 CSR 70-10.015.

## (4) Definitions.

**(B) Asset value. The asset value is the per bed cost of construction used in calculating a facility's capital per diem utilizing the fair rental value system as set forth in subparagraph (11)(A)3.B. The cost of construction is based on the RS Means Building Construction Cost Data to determine specific cost information for current, historical and projected costs. The initial asset value was based on 1994 costs utilizing the median total cost per bed of the national average cost of construction for nursing home beds from the Square Foot Table, adjusting it for the Missouri cities indexes from the City Cost Indexes Table, and adding the per bed land cost determined by the division. This initial asset value will be adjusted annually using the estimated Historical Cost Indexes from the RS Means publication for each subsequent year. The resulting asset values are included in Appendix C.**

**((B))/(C) Average private pay rate.** The usual and customary charge for non-Medicaid patients determined by dividing total non-Medicaid days of care into revenue collected from the same service that is included in the Medicaid per-diem rate, excluding negotiated payment methodologies with state or federal agencies, such as the Veterans Administration and the Missouri Department of Mental Health.

**((C))/(D) Cost report.** The Financial and Statistical Report for Nursing Facilities, required attachments as specified in subsection (10)(A) of this rule and all worksheets supplied by the division for this purpose. The cost report shall detail the cost of rendering both covered and noncovered services for the fiscal reporting period in accordance with the procedures prescribed by the division.

**((D))/(E) Department.** The department, unless otherwise specified, refers to the Missouri Department of Social Services.

**((E))/(F) Desk review.** The Division of Medical Services' review of a provider's cost report without on-site audit.

**((F))/(G) Director.** The director, unless otherwise specified, refers to the director, Missouri Department of Social Services.

**((G))/(H) The Division of Aging.** The division of the Department of Social Services responsible for survey, certification and licensure of LTC facilities.

**((H))/(I) The Division of Medical Services.** Unless otherwise designated, division as used in this regulation refers to the Division of Medical Services, the division of the Department of

Social Services charged with administration of Missouri's Medical Assistance (Medicaid) Program.

**((I)) The Dodge Calculator (formerly known as the Dodge Construction Index).** The cost per square foot as published in *Calculator for a convalescent/nursing home of good quality, masonry wall construction as of mid-year 1970 and adjusted by the general purpose Local Building Cost Multiplier as of the date the initial Certificate of Need (CON) was issued or, if a six (6)-month extension was granted, as of the date the extension was granted. The Local Building Cost Multipliers used to adjust costs shall be those established for Columbia, Kansas City and St. Louis. The multiplier to be used in determining a facility's rate shall be the one established for the city geographically closest to the facility as determined by the air distance from that city to the facility. If the air distance is not available, the determination shall be based on road miles from that city to the facility as determined by the Automobile Club of Missouri (AAA). Calculator is a publication of Calculator, Inc., 12251 Harbor Drive, Woodbridge, VA 22192.*

**(T) Replacement beds/facility.** A newly constructed pediatric nursing care facility, or any part thereof, built to replace beds that were located in a pediatric nursing care facility that are no longer used to provide pediatric nursing care facility services.

**((T))/(U) Restricted funds.** Funds, cash or otherwise, including grants, gifts, taxes and income from endowments which must only be used for a specific purpose designated by the donor.

**((U))/(V) Second prior year cost report.** The cost report for the facility fiscal year which ends in the second calendar year prior to the calendar year in which the state's fiscal year ends. For example, for state Fiscal Year 1990, the second prior year cost report would be the cost report for a facility fiscal year which ends any time in calendar year 1988.

**((V))/(W) Skilled nursing facility (SNF).** An LTC facility licensed and certified by the Division of Aging as meeting the conditions for participation in the Medicaid Program as an SNF.

**((W))/(X) Unrestricted funds.** Funds, cash or otherwise, including grants, gifts, taxes and income from endowments, that are given to a provider without restriction by the donor as to their use.

## (7) Allowable Cost Areas.

**(I) Interest and Borrowing Costs on Capital Asset Debt.**

**1. Interest and borrowing costs related to necessary loans associated with capital asset debt are accounted for in the capital cost component and are subject to debt and interest rate restrictions. Determination of allowable interest and borrowing costs is detailed in parts (11)(A)3.B.(III) and (11)(A)3.B.(IV).**

**2. Loans must be supported by evidence of a written agreement that funds were borrowed and repayment of the funds are required, identifiable in the provider's accounting records, related to the reporting period in which the costs are claimed, and necessary for the operation, maintenance or acquisition of the provider's facility.**

**3. Necessary means that the loan be incurred to satisfy a financial need of the provider and for a purpose related to recipient care. Loans which result in excess funds or investments are not considered necessary.**

**4. A provider shall capitalize borrowing costs and amortize them over the life of the loan on a straight line basis. Borrowing costs include loan costs (i.e. lender's title and recording fees, appraisal fees, legal fees, escrow fees, and other closing costs), prepaid interest and discounts. Finder's fees are not allowed.**

**((/))/(J) Utilization Review.** Costs incurred for the performance of required utilization review.

(11) Rate Determination.

(A) Except as provided in subsection (11)(B), and subject to the timely filing provisions of section (10), a facility's per-diem rate shall be determined on July 1 of each state fiscal year, beginning July 1, 1989, or the qualification date, whichever is later, based upon the data contained in the desk-reviewed or field-audited second prior year cost report, or both; provided, the reported costs are allowable, covered, properly apportioned, properly allocated and properly classified as prescribed elsewhere in this rule. A facility's per-diem rate shall be the sum of the patient care per-diem rate, the general and administrative per-diem rate and the capital per-diem rate. Applicable trend factors shall be applied only to the patient care component of the per-diem rate. Applicable trend factors as used in this section are the trend factors that were authorized subsequent to the last day of the facility fiscal year covered by the second prior year cost report, up to and including the trend factor adjustment which may be authorized on July 1 when the annual rate is determined. Procedures for determination of the per-diem rates in each cost category are as follows:

1. Patient care. From the Financial and Statistical Report for Nursing Facilities portion of the applicable cost report, accumulate patient care costs from lines forty-five through sixty (45-60), and sixty-two through seventy-five (62-75), seventy-seven through eighty-five (77-85), eighty-seven through ninety-five (87-95), ninety-seven through one hundred three (97-103), line one hundred five (105) and lines one hundred thirteen through one hundred twenty (113-120). The accumulated patient care costs will be divided by the patient days for the reporting period identified from line eight (8), item six (6), column eight (8). The result of this procedure will be the Patient Care Per-Diem Rate;

2. General and administrative. From the Financial and Statistical Report for Nursing Facilities portion of the applicable cost report, accumulate general and administrative costs from line one hundred nine (109), line one hundred eleven (111), line one hundred twelve (112) and lines one hundred twenty-two through one hundred fifty (122-150). The accumulated general and administrative costs will be divided by the greater of patient days for the reporting period from line eight (8), item six (6), column eight (8) or ninety percent (90%) of the total bed days for the reporting period from line eight (8), item five (5), column eight (8). The General and Administrative Per-Diem Rate shall be the lesser of—

A. The results of the procedure described in paragraph (11)(A)2.; or

B. Fifteen percent (15%) times the results of the procedure described in paragraph (11)(A)1.; and

3. Capital.

A. For LTC facilities which were certified for participation in the Medicaid Program at any time prior to June 30, 1989, and with valid participation agreements in effect on June 30, 1989, and which satisfy all the qualifications necessary for participation in the pediatric nursing care program described in this rule, the per-diem rate for capital under this rule shall be the sum of lines one hundred and six (106), one hundred seven (107), one hundred eight (108) and one hundred ten (110) from the Financial and Statistical Report for Nursing Facilities portion of the applicable cost report, divided by the greater of patient days for the reporting period from line eight (8), item six (6), column eight (8) or ninety-three percent (93%) of the total bed days for the reporting period from line eight (8), item five (5), column eight (8). The capital cost per-diem rate shall be fixed and will not be adjusted except as may be authorized under section (12) or (13). **If a facility replaces all beds with a new facility, the capital per-diem rate will be determined by subparagraph (11)(A)3.B.**

B. For new facilities, **replacement beds/facility and additional beds**, the per-diem rate for capital shall be *[the sum of the building, building equipment and moveable equipment rate, plus the land rate, plus the working capital rate determined in accordance with the following procedures. The capital cost per-diem rate shall be fixed and will not be*

*adjusted except as may be authorized under section (12) or (13).]* determined using the fair rental value system (FRV), which consists of four (4) elements: rental value, return, computed interest, and borrowing costs. The determination of the per-diem for each element is as follows:

*[(I) The building, building equipment and moveable equipment rate will be computed as follows:*

*(a) Determine the lesser of—*

*I. Actual acquisition cost, which is the original owner's cost to construct or acquire the building including moveable equipment but excluding land costs; or*

*II. Reasonable construction or acquisition cost computed by applying the Dodge Calculator as defined in subsection (4)(I) of this rule for the city, St. Louis, Kansas City or Columbia, geographically closest to the facility, multiplied by one hundred eight percent (108%) as an allowance for fees authorized as architectural or legal not included in the Dodge Calculator, multiplied by the square footage of the facility not to exceed three hundred twenty-five (325) square feet per bed plus an allowance of one thousand five hundred dollars (\$1,500) per bed for moveable equipment;*

*(b) Multiply by a return rate of twelve percent (12%); and*

*(c) Divide by ninety-three percent (93%) of the facility's total available beds times three hundred sixty-five (365) days.*

*(II) The land rate is computed as follows:*

*(a) The maximum allowable land area is defined as five (5) acres for a facility with one hundred (100) or fewer beds and one (1) additional acre for each additional one hundred (100) beds or fraction of beds for a facility with one hundred one (101) or more beds; and*

*(b) Calculation.*

*I. For facilities with land areas at or below the maximum allowable land area, multiply the acquisition cost of the land by the return rate of twelve percent (12%), divide by ninety-three percent (93%) of the facility's total available beds times three hundred sixty-five (365) days.*

*II. For facilities with land areas greater than the maximum allowable land area, divide the acquisition cost of the land by the total acres, multiply by the maximum allowable land areas, multiply by the return rate of twelve percent (12%), divide by ninety-three percent (93%) of the facility's total available beds times three hundred sixty-five (365) days.*

*III. The working capital rate will be twenty cents (20¢) per day. This amount was determined to be the average daily balance due to a facility for services provided to the state with a return rate of twelve percent (12%), divided by ninety-three percent (93%).*

*IV. If a provider does not provide documentation in support of actual acquisition cost necessary to determine the per-diem rate for capital, the sum of the building, building equipment and moveable equipment rate, the land rate and working capital rate will be established as a per-diem rate of six dollars (\$6).]*

**(I) Rental value.** The rental value is a computed figure determined as follows:

**(a) Determine the total asset value.**

**I. Determine facility size from the rate setting cost report;**

**II. Determine the number of increased licensed beds through the end of the rate setting period;**

**III. Determine the bed equivalency for renovations/major improvements by taking the cost of the renovations/major improvements divided by the asset value per bed for the year of the renovation/major improvement rounded to**

the nearest whole bed. For a rate setting cost report, the renovation/major improvement must be completed by the end of the rate setting period. The cost must be at least the asset value per bed for the year of the renovation/major improvement.

IV. Determine the number of decreased licensed beds through the end of the rate setting period;

V. Determine the total facility size which is the sum of items I., II., III. less IV; and

VI. Determine the total asset value which is the total facility size multiplied by the asset value relating to the rate setting cost report as set forth in subsection (4)(B).

(b) Determine the reduction for age by multiplying the age of the beds by one percent (1%). The result of the reduction for age by multiplying the age of the beds by one percent (1%).

I. The age of the beds for multiple licensing dates is calculated on a weighted average method rounded to the nearest whole year. For example, a facility with original licensure in 1979 of sixty (60) beds, an additional licensure of sixty (60) beds in 1984, and an additional licensure of ten (10) beds in 1998, with a rate setting cost report ending in 2000, the reduction is calculated as follows:

Licensure Year	Age	Beds	Age times Beds
1979	21	60	1260
1984	16	60	960
1998	2	10	20
Total		130	2240

Weighted Average Age—2110 / 130 beds = 17.23 years rounded to 17 years.

This results in a reduction for age of the beds at 17%.

II. The age of the beds for replacement beds is calculated on a weighted average method rounded to the nearest whole year as set forth in the Certificate of Need (CON). For example, a facility with one hundred twenty (120) beds licensed in 1978 with replacement of sixty (60) beds in 1998, the reduction is calculated as follows:

Licensure Year	Age	Beds	Age times Beds
1978	22	60	1320
1998	2	60	120
Total		120	1440

Weighted Average Age—1440 / 120 beds = 12.00 years.

This results in a reduction for age of the beds at 12%.

III. The age of the beds for reductions in licensed beds is calculated on a weighted average method rounded to the nearest whole year as set forth in the CON. For example, a facility with original licensure in 1979 of sixty (60) beds, an additional licensure of sixty (60) beds in 1984, an additional licensure of ten (10) beds in 1998 and a reduction of ten (10) beds in 1989, the reduction percentage is calculated as follows:

Licensure Year	Age	Beds	Age times Beds
1979	21	60	1260
1984	16	60	960
1998	2	10	20
1989*	21	(10)	(210)
Total		120	2030

\*reduction of 1979 beds

Weighted Average Age—2030 / 120 = 16.92 years rounded to seventeen (17) years.

This results in a reduction for age of the beds at 17%.

IV. The age of the bed equivalents for renovations/major improvements is calculated on a weighted average method rounded to the nearest whole year. For example, a one hundred twenty (120) bed facility licensed in 1979 undertakes two (2) renovations: \$200,000 in 1983 and \$100,000 in 1993. The asset value per bed is \$25,250 for 1983 and \$32,039 for 1993. The bed equivalency is eight (8) beds for 1983 and three (3) beds for 1993; the reduction percentage is calculated as follows:

Licensure/ Construction Year	Age	Beds	Age times Beds
1979	21	120	2520
1983	17	8	136
1993	7	3	21
Total		131	2677

Weighted Average Age—2677 / 131 = 20.44 year rounded to twenty (20) years.

This results in a reduction for age of the beds at 20%.

(c) Determine the facility asset value. The facility asset value is the total asset value per part (11)(A)3.B.(I) less the reduction for age per part (11)(A)3.B.(II).

(d) Determine the rental value. Multiply the facility asset value by two and one-half percent (2.5%) to determine the rental value. The two and one-half percent (2.5%) is based on a forty (40)-year life.

(e) The following is an illustration of how parts (11)(A)3.B.(I), (II), (III) and (IV) determine the rental value.

<b>I. Assumptions:</b>	
2000 Rate Setting Cost Report	
Licensed beds	120
Bed Equivalents	4
Weighted average age of the beds	23 years
Asset value—2000	\$ 34,797

II. The total asset value is the product of the total facility size times the asset value:

Total facility size	124
Asset value	× \$ 34,797
Total asset value	\$ 4,314,828

III. The facility asset value is the total asset value less the reduction for age of the beds:

Total asset value	\$4,314,828
Reduction for age (23%)	\$ 992,410
Facility asset value	\$3,322,418

IV. The rental value is the facility asset value multiplied by 2.5%.

Facility asset value	\$3,322,418
	× 2.5%
Rental value	\$ 83,060

(II) Return. The return is a computed figure, subject to rate limitations, as set forth below:

(a) Reduce the facility asset value by the capital asset debt, but not less than zero (0), times the rate of return. The rate of return is the yield for the thirty (30)-year Treasury Bond as reported by the Federal Reserve Board and published in the *Wall Street Journal* at the end of the first week in September, plus two (2) percentage points.

(b) The debt associated with increases in licensed beds or renovations/major improvements for rate setting cost

reports as set forth in items (11)(A)3.A.(I)(a)II. and III., will be added to the capital asset debt from the rate setting cost report. The facility shall provide adequate documentation to support the additional debt as required in subsection (7)(I). If adequate documentation is not provided to support the additional capital asset debt, it will be assumed to equal zero (0).

(c) The following is an illustration of how subpart (11)(A)3.A.(II)(a) is calculated continuing the example from above in (11)(A)3.A.(I) and assuming capital asset debt of \$1,371,094:

Facility asset value	\$3,322,418
Capital asset debt	<u>(\$1,371,094)</u>
	\$1,951,324
Rate of Return	$\times 9.18\%$
Return	<u>\$ 184,986</u>

(III) Computed interest. The interest is a computed figure, subject to capital debt and interest rate limitations, as set forth below:

(a) Interest will be calculated by multiplying the lessor of the necessary outstanding capital asset debt or the facility asset value as determined in subpart (11)(A)3.B.(I)(c) by the Chase Manhattan prime rate in effect on the first business day in September, as published in the *Wall Street Journal*, plus two (2) percentage points. The interest rate in effect at the end of the rate setting period shall be used.

(b) The following is an illustration of how interest is calculated:

Assumptions:

	Example A: Facility Asset Value < Debt	Example B: Facility Asset Value > Debt
Facility asset value	\$3,322,418	\$3,322,418
Outstanding capital asset debt	\$3,500,000	\$1,951,324
Term of debt	25 years	25 years
Prime rate— September 1, 1999	8.25%	8.25%

Interest calculation:

The lessor of the facility asset value or the outstanding capital asset debt multiplied by the allowable interest rate (prime rate + 2%)

	Example A	Example B
Facility asset value	\$3,322,418	
Outstanding capital debt		\$1,951,324
Interest rate	$\times 10.25\%$	$\times 10.25\%$
Computed interest	<u>\$ 340,548</u>	<u>\$ 200,011</u>

(IV) Borrowing costs.

(a) A provider shall capitalize borrowing costs and amortize them over the life of the loan on a straight line basis.

(b) If loans for capital asset debt exceed the facility asset value, the borrowing costs associated with the portion of the loan or loans which exceeds the facility asset value shall not be allowable.

(c) The following is an illustration of how allowable borrowing costs are calculated:

Assumptions:

Loan costs	\$120,000
Discount costs	<u>\$125,000</u>
Borrowing costs	<u>\$245,000</u>

	Example A	Example B
Facility asset value	\$3,322,418	\$3,322,418
Outstanding capital asset debt	<u>/ \$3,500,000</u>	<u>/ \$1,951,324</u>

Percent of borrowing costs allowed	95%	100%
Borrowing costs	$\times \$ 245,000$	$\times \$ 245,000$
Allowable portion to be amortized	\$ 232,750	\$ 245,000
Term of debt	<u>/ 25 yrs</u>	<u>/ 25 yrs</u>
Allowable borrowing costs	<u>\$ 9,310</u>	<u>\$ 9,800</u>

(V) Capital per-diem calculation. Two (2) per diems are calculated using the above computed figures and summed to determine the total capital per-diem rate, as set forth below.

(a) FRV per diem. A per diem is calculated by dividing the sum of the rental value, the return and the computed interest by the annualized patient days. Annualized patient days equals the total facility size determined in item(11)(A)3.B.(I)(a)V. times three hundred sixty-five (365) adjusted by the greater of ninety percent (90%) or the facility's occupancy from the rate setting cost report. The following is an illustration of how this calculated:

Rental Value	\$ 83,060
Return	\$184,986
Computed interest (from Exhibit B)	<u>\$200,011</u>
Total	\$468,057
Divided by annualized patient days	<u>/ 40,734*</u>
FRV per diem	\$ 11.49

\* Annualized patient days:

Total facility size	124
Times 365	$\times 365$
Subtotal	45,260
Greater of minimum utilization or facility occupancy	$\times 90\%^{**}$
Annualized patient days	40,734

\*\* Assumption: facility occupancy from the rate setting cost report below 90%.

(b) Borrowing costs per diem. A per diem is calculated by dividing the sum of the borrowing costs by the greater of ninety percent (90%) of the total bed days from the rate setting cost report or the facility's patient days from the rate setting cost report. The following is an illustration of how this is calculated:

Borrowing costs (from Ex. B)	\$ 9,800
Patient Days	<u>/ 39,420*</u>
Borrowing cost/pass through per diem	<u>\$ .25</u>

\* Patient days—greater of:

$$90\% \text{ of bed days} = 120 \text{ beds} \times 365 \text{ days} \times 90\% = 39,420$$

$$\text{Facility patient days} = 37,890 \text{ (Assumption)}$$

(c) The capital per diem is the sum of subparts (11)(A)3.B.(V)(a) and (11)(A)3.B.(V)(b).

FRV per diem	\$11.49
Borrowing costs/pass through per diem	<u>\$ .25</u>
Total capital	\$11.74

The capital cost per-diem rate shall be fixed and will not be adjusted except as may be authorized under section (12) or (13).

(12) Rate Reconsideration.

(A) A provider may request reconsideration of the per-diem rate only under the following circumstances:

1. When the provider can show that it incurred higher costs due to circumstances beyond its control and the circumstances are not experienced by the nursing home industry in general, the request must have a substantial cost effect. These circumstances include, but are not limited to:

A. Acts of nature, such as fire, earthquakes and flood, that are not covered by insurance;

B. Vandalism, civil disorder, or both; or

C. Replacement of capital depreciable items not built into the existing rate that are the result of circumstances not related to normal wear and tear or upgrading of existing systems;

2. A provider may request a rate adjustment for replacement beds/facility. The facility must obtain an approved certificate of need or applicable waiver for the replacement beds/facility. The facility shall provide all documentation requested by the division relating to the replacement beds/facility.

A. The capital per diem is calculated for the replacement beds/facility as set forth in subparagraph (11)(A)3.B. using the asset value, rate of return, and interest rate in effect for the date the replacement beds/facility are placed in service. The rate adjustment will be calculated as the difference between the facility's capital per diem prior to the replacement beds/facility being placed in service and the capital per diem including the replacement beds/facility.

B. The rate adjustment will be incorporated into the facility's per-diem rate by replacing its capital per diem prior to the replacement beds with the capital per diem including the replacement beds.

3. A provider may request a rate adjustment additional beds. The facility must obtain an approved certificate of need or applicable waiver for the additional beds. The facility shall provide all documentation requested by the division relating to the additional beds.

A. The capital per diem is calculated for the additional beds as set forth in subparagraph (11)(A)3.B. using the asset value, rate of return, and interest rate in effect for the date the additional beds are placed in service. The rate adjustment will be calculated as the difference between the facility's capital per diem prior to the additional beds being placed in service and the capital per diem including the additional beds.

B. The rate adjustment will be incorporated into the facility's per-diem rate by replacing its capital per diem prior to the additional beds with the capital per diem including the additional beds.

[2.] 4. The request for rate reconsideration must be submitted in writing to the division, must specifically and clearly identify the reason for the request, must include sufficient documentation evidencing that the costs were actually incurred, must be in detail sufficient for the division to determine whether or not the costs were or were not included in the rate, and must include the amount requested;

[3.] 5. The division will make a recommendation to the director of the Department of Social Services within sixty (60) days following the receipt of all documentation required or necessary, or both, to evaluate the request. The director's or his/her designee's final decision on each request shall be issued in writing to the provider within fifteen (15) working days from receipt of the division's recommendation; and

[4.] 6. The director's or his/her designee's final determination on the division's recommendation shall become effective on the first day of the month in which the request was made providing that it was made prior to the tenth of the month. If the request is not filed by the tenth of the month, adjustments shall be effective on the first day of the following month.

## APPENDIX C

Year	Asset Value
1994	\$ 32,330
1995	\$ 32,723
1996	\$ 32,921
1997	\$ 33,355
1998	\$ 33,829
1999	\$ 34,205
2000	\$ 34,797

**AUTHORITY:** sections 208.153, 208.159 and 208.201, RSMo [1994] 2000. Original rule filed Sept. 26, 1989, effective Feb. 11, 1990. For intervening history, please consult the *Code of State Regulations*. Amended Filed Nov. 15, 2001.

**PUBLIC COST:** This proposed amendment will not cost public entities more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition of this proposed amendment with the Office of the Director, Division of Medical Services, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

## Title 15—ELECTED OFFICIALS Division 50—Treasurer Chapter 2—Linked Deposit Program

### PROPOSED AMENDMENT

**15 CSR 50-2.050 Interest Rate on Linked Deposit Loans and Loan Categories.** The treasurer is amending sections (1), (3), (4), and (6).

**PURPOSE:** This amendment revises the procedure to be used to set the interest rates on loan categories under the Linked Deposit Program and the maximum interest rate on loans in those categories.

(1) [The treasurer's office will survey financial institutions participating in the Linked Deposit Program to determine the present borrowing rate applicable to eligible borrowers in] The interest rate on loan categories under the Linked Deposit Program shall be equal to the prime rate, as published in the *Wall Street Journal*, on the first business day of any given week, plus one and a half percent (1.50%). This rate shall apply to the following linked deposit loan categories: Agri-Business, Beginning Farmer (if loan is less than one hundred thousand dollars (\$100,000)), Farming Operation, Livestock Operation, Marketing Operation, Small Business, Student Borrower, and Water Supply System. [The survey will be conducted at least quarterly and each survey will include a minimum of ten percent (10%) of the financial institutions submitting loan applications in each respective category. The state treasurer will review the survey findings and will, after consulting with the Linked Deposit Review Committee, establish the interest rate for each respective linked deposit loan category listed above. The category rate established will apply until a new rate is set by the state treasurer.]

(3) The treasurer's office will monitor interest rate markets and [initiate surveys more frequently than quarterly when the treasurer judges that significant interest rate changes have

*occurred]* **adjust the interest rates for each respective loan category upon changes in the prime lending rate.**

(4) The interest rate on the linked deposit loan made to a borrower in any of the categories listed in section (1) above, shall be no greater than seventy-five percent (75%) of the interest rate *[established by the treasurer for the particular category]* **established in section (1) above.** Upon placement of a loan, the interest rate for the loan shall remain fixed for a period of one (1) year; except, if it so provides in the loan agreement, the lending financial institution may increase the interest rate on the loan, up to the category rate established by the treasurer, if the treasurer determines that the borrower has not complied with the law relating to the Linked Deposit Program and, as a result, the treasurer has received the full market interest rate on the deposit from the financial institution.

(6) In a linked deposit loan application made for a residential property developer or a residential property owner, the lending financial institution shall certify the present market borrowing rate applicable on a three (3) year fixed rate loan to that borrower. The lending financial institution shall also certify the interest rate on the loan to be made to the residential property developer or residential property owner under the Linked Deposit Program, but the interest rate on the loan shall be no greater *[that]* **than** seventy-five percent (75%) of the certified market rate for a loan up to one hundred thousand dollars (\$100,000), nor greater than seventy percent (70%) of the certified market rate for a loan of one hundred thousand dollars (\$100,000) or more. The loan rate must be approved by the state treasurer and, upon placement of the linked deposit, the loan rate shall remain fixed for a period of up to three (3) years, subject to adjustment under the terms and conditions described in section (4), above.

*AUTHORITY: sections 30.260 and 30.760, RSMo [1994] 2000. Emergency rule filed March 7, 1986, effective March 27, 1986, expired July 14, 1986. Original rule filed June 26, 1986, effective Oct. 15, 1986. For intervening history, please consult the Code of State Regulations. Amended: Filed Nov. 2, 2001.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of the Missouri State Treasurer, Mr. Larry Krummen, Director of Investments, PO Box 210, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*



**T**his section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

**T**he agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 2—DEPARTMENT OF AGRICULTURE  
Division 100—Missouri Agricultural and Small Business  
Development Authority  
Chapter 10—New Generation Cooperative Incentive  
Tax Credit Program**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Agricultural and Small Development Authority under section 348.432, RSMo Supp. 2001, the authority adopts a rule as follows:

**2 CSR 100-10.010** Description of Operation, Definitions, and Method of Distribution and Repayment of Tax Credits is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1623-1624). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 11—Wildlife Code: Special Regulations for  
Department Areas**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-11.182** Deer Hunting is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2001 (26 MoReg 1901). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 11—Wildlife Code: Special Regulations for  
Department Areas**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-11.200** Fishing, General Provisions and Seasons is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2001 (26 MoReg 1901). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 11—Wildlife Code: Special Regulations for  
Department Areas**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-11.210** Fishing, Daily and Possession Limits is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2001 (26 MoReg 1901). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 11—Wildlife Code: Special Regulations for  
Department Areas**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-11.215 Fishing, Length Limits is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2001 (26 MoReg 1902). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-12.110 Use of Boats and Motors is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2001 (26 MoReg 1902). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-12.135 Fishing, Methods is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2001 (26 MoReg 1902). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-12.140 Fishing, Daily and Possession Limits is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2001 (26 MoReg 1902-1903). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-12.145 Fishing, Length Limits is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2001 (26 MoReg 1903-1904). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**

**Division 30—Missouri Board for Architects,  
Professional Engineers and Land Surveyors  
Chapter 8—Land Surveying**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers and Professional Land Surveyors under section 327.041, RSMo Supp. 2001, the board rescinds a rule as follows:

**4 CSR 30-8.020 Professional Development Requirements for  
Land Surveyors is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1404). No changes have been made to the proposed rescission, so

it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 30—Missouri Board for Architects,  
Professional Engineers and Professional Land  
Surveyors  
Chapter 8—Land Surveying**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers and Professional Land Surveyors under section 327.041, RSMo Supp. 2001, the board adopts a rule as follows:

**4 CSR 30-8.020 Professional Land Surveyors—Professional  
Development Units is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1404–1408). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: One (1) comment was received.

COMMENT: The board received one comment from J. Michael Flowers with the Department of Natural Resources. Mr. Flowers supports changes in the proposed rule, including that limiting a licensee to no more than 10 PDU's per renewal period for teaching, instructing, or making the same presentation. He also proposes that the rule be amended so as to limit a licensee from attending the same course and instructor each renewal period as it defeats the purpose of continuing education by keeping the licensee from exposure to different subjects and instructors.

RESPONSE: The board has considered this comment and has decided to make no change in the proposed rule.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 30—Missouri Board for Architects,  
Professional Engineers and Land Surveyors  
Chapter 11—Renewals**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers and Professional Land Surveyors under section 327.041, RSMo Supp. 2001, the board rescinds a rule as follows:

**4 CSR 30-11.010 Renewal Period is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1409). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 30—Missouri Board for Architects,  
Professional Engineers and Professional Land  
Surveyors  
Chapter 11—Renewals**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers and Professional Land Surveyors under section 327.041, RSMo Supp. 2001, the board adopts a rule as follows:

**4 CSR 30-11.010 Renewal Period is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1409–1410). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 30—Missouri Board for Architects,  
Professional Engineers and Professional Land  
Surveyors  
Chapter 11—Renewals**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers and Professional Land Surveyors under section 327.041, RSMo Supp. 2001, the board adopts a rule as follows:

**4 CSR 30-11.020 Professional Land Surveyor—Renewal and  
Reactivation of Licensure is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1410–1413). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 110—Missouri Dental Board  
Chapter 2—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Dental Board under section 332.031.3, RSMo 2000, the board withdraws a rescission as follows:

**4 CSR 110-2.170 Fees is withdrawn.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1414). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 110—Missouri Dental Board  
Chapter 2—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Dental Board under section 332.031.3, RSMo 2000, the board withdraws a rule as follows:

**4 CSR 110-2.170 Fees is withdrawn.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1414-1422). This proposed rule is withdrawn.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 110—Missouri Dental Board  
Chapter 2—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Dental Board under section 332.031.2, RSMo 2000, the board withdraws a rescission as follows:

**4 CSR 110-2.180 General Anesthesia is withdrawn.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1423). This proposed rescission is withdrawn.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 110—Missouri Dental Board  
Chapter 2—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Dental Board under sections 332.031 and 332.071, RSMo 2000, the board withdraws a rule as follows:

**4 CSR 110-2.180 Deep Sedation/General Anesthesia is  
withdrawn.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1423-1433). This proposed rule is withdrawn.

SUMMARY OF COMMENTS: The board received comments from the Missouri Society of Anesthesiologists, Dr. Jonathan G. Hanson, the Missouri Association of Nurse Anesthetists (MoANA) and four nurse anesthetists, one of which is also a licensed dentist in Missouri. The comments centered around the issue of dentists supervising advanced practice nurses/CRNAs. A hearing was held on November 8, 2001 with the Joint Committee on Administrative Rules.

COMMENT: Dr. Sam L. Page, President of the Missouri Society of Anesthesiologists, expressed appreciation of the board's efforts to revise the regulation and clearly define the regulation of the administration of deep sedation and general anesthesia. Dr. Page

expressed appreciation of the board's efforts to revise the regulation in such a manner that will ensure the safety of patients undergoing surgical procedures in dental offices, while preserving appropriate role of dentists, physicians, and non-physician providers. Although implied, Dr. Page suggests that it should be clearly stated in section (3) of the proposed rule that the dentist supervising the administration of anesthesia should be immediately available to direct medical care should there be an untoward medical or dental complication that occurs.

COMMENT: Dr. Jonathan G. Hanson, an oral surgeon in Jefferson City, suggested a revision to section (3) of the proposed rule in light of the concerns expressed by the Missouri Society of Anesthesiologists. Dr. Hanson suggests that an anesthesiologist be inserted as a person who may also supervise the work of the advanced practice nurse. Dr. Hanson also suggested that the board delete the second sentence under section (4)(F), indicating that this sentence should not be included as part of the definition of a deep sedation/general anesthesia site certificate.

COMMENT: Mr. Frank Susman, General Counsel to the Missouri Association of Nurse Anesthetists (MoANA), commented in strong opposition to the proposed rule. Individual nurse anesthetists also commented in opposition to the proposed rule. These individuals were M. C. Brown, Deborah Johns, Gary D. Clark and Allan J. Schwartz, who is also a licensed dentist in Missouri. The comments received from MoANA and the individual nurse anesthetists are very similar and are summarized together for purposes of the board's response. The nurse anesthetists comment that the board is discriminating against certified registered nurse anesthetists (CRNAs) by requiring the dentist who utilizes a CRNA to administer anesthesia to have the same anesthesia education and training requirements as a dentist who personally administer the anesthesia. However, the board does not require the dentist to have that same level of education and training if using a M.D. anesthesiologist to administer the anesthesia. They argue that the CRNA is more qualified in the field of anesthesia than the dentist performing the dental procedure and that the board is prohibiting a higher standard of care and more affordable access to dental anesthesia training care by imposing unnecessary and unrealistic restrictions on the dentists who wish to utilize the safer alternative, CRNA administered anesthesia. The nurse anesthetists comment that the board is allowing by its rule a dentist to complete an anesthesia training program to qualify for a deep sedation/general anesthesia permit that is approved and accredited by the Council on Accreditation of Nurse Anesthesia Educational programs. They argue that if a CRNA has the expertise, proficiency, knowledge and skills to train a dentist to administer the anesthesia, a CRNA should be qualified to administer the anesthesia without dentist supervision.

RESPONSE: The board is withdrawing this rulemaking at this time.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 150—State Board of Registration for the  
Healing Arts  
Chapter 6—Registration of Athletic Trainers**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under sections 334.125 and 334.706.3(2), RSMo 2000, the board amends a rule as follows:

**4 CSR 150-6.010 Definitions is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1656). No changes have been made to the text of the proposed amendment, so it is not reprinted here.

This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 240—Public Service Commission  
Chapter 120—New Manufactured Homes**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 700.040, RSMo 2000, the commission amends a rule as follows:

**4 CSR 240-120.011 Definitions is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1434). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 240—Public Service Commission  
Chapter 120—New Manufactured Homes**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 700.040, RSMo 2000, the commission adopts a rule as follows:

**4 CSR 240-120.065 Manufactured Home Dealer Setup  
Responsibilities is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1434). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 240—Public Service Commission  
Chapter 121—Preowned Mobile Homes**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 700.040, RSMo 2000, the commission withdraws a rule as follows:

**4 CSR 240-121.055 Manufactured Home Dealer Setup  
Responsibilities is withdrawn.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1434-1435). This rule is being withdrawn as a result of the passage of Senate Bill 317, effective August 28, 2001, which

removed Public Service Commission jurisdiction over preowned manufactured home setup and installation enforcement.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 240—Public Service Commission  
Chapter 122—Recreational Vehicles**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 700.040, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-122.010 Definitions is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1435). This rule is being rescinded as a result of the passage of Senate Bill No. 19, effective August 28, 1999, which repealed all recreational vehicle regulations. No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 240—Public Service Commission  
Chapter 122—Recreational Vehicles**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 700.040, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-122.020 Administration and Enforcement  
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1435). This rule is being rescinded as a result of the passage of Senate Bill No. 19, effective August 28, 1999, which repealed all recreational vehicle regulations. No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 240—Public Service Commission  
Chapter 122—Recreational Vehicles**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 700.040, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-122.030 Seals is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2001 (26

MoReg 1435). This rule is being rescinded as a result of the passage of Senate Bill No. 19, effective August 28, 1999, which repealed all recreational vehicle regulations. No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 240—Public Service Commission  
Chapter 122—Recreational Vehicles**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 700.040, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-122.040 Approval of Manufacturing Programs is  
rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1435-1436). This rule is being rescinded as a result of the passage of Senate Bill No. 19, effective August 28, 1999, which repealed all recreational vehicle regulations. No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 240—Public Service Commission  
Chapter 122—Recreational Vehicles**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 700.040, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-122.050 Inspection of Manufacturer Books, Records,  
Inventory and Premises is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1436). This rule is being rescinded as a result of the passage of Senate Bill No. 19, effective August 28, 1999, which repealed all recreational vehicle regulations. No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 240—Public Service Commission  
Chapter 122—Recreational Vehicles**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 700.040, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-122.060 Inspection of Dealer's Books, Records,  
Inventory and Premises is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1436). This rule is being rescinded as a result of the passage of Senate Bill No. 19, effective August 28, 1999, which repealed all recreational vehicle regulations. No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 240—Public Service Commission  
Chapter 122—Recreational Vehicles**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 700.040, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-122.070 Inspection of Preowned Recreational  
Vehicles Rented, Leased or Sold or Offered for Rent, Lease or  
Sale by Persons Other Than Dealers is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1436-1437). This rule is being rescinded as a result of the passage of Senate Bill No. 19, effective August 28, 1999, which repealed all recreational vehicle regulations. No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 240—Public Service Commission  
Chapter 122—Recreational Vehicles**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 700.010, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-122.080 Code is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1437). This rule is being rescinded as a result of the passage of Senate Bill No. 19, effective August 28, 1999, which repealed all recreational vehicle regulations. No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 240—Public Service Commission  
Chapter 122—Recreational Vehicles**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 700.040, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-122.090 Complaints and Review of Director Action  
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1437). This rule is being rescinded as a result of the passage of Senate Bill No. 19, effective August 28, 1999, which repealed all recreational vehicle regulations. No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 240—Public Service Commission  
Chapter 123—Modular Units**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 700.040, RSMo 2000, the commission amends a rule as follows:

**4 CSR 240-123.010 Definitions is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1437-1438). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 240—Public Service Commission  
Chapter 123—Modular Units**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 700.040, RSMo 2000, the commission amends a rule as follows:

**4 CSR 240-123.030 Seals is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1438-1440). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 240—Public Service Commission  
Chapter 123—Modular Units**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 700.040, RSMo 2000, the commission amends a rule as follows:

**4 CSR 240-123.040 is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1441-1443). Changes have been made in the text of the proposed amendment and are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS AND EXPLANATION OF CHANGE:** Written comments were submitted by the Missouri Manufactured Housing Association (Association). There was no public hearing held. The Association submitted comments concerning their proposed amendments to several sections of the following proposed and amended rule 4 CSR 240-123.040. Changes have been made to Section (11) to incorporate the concern the Association comments on in Section (7)(E).

**COMMENT:** 4 CSR 240-123.040 Section (5) requires the director to approve changes in a manufacturing program. The rule as written requires the director to promptly provide written approval of such changes. The rule does not provide a time period within which the director is to act. Therefore the Association proposes to modify Section (5) to include "the director shall provide written approval of such changes within ten (10) days of the director's receipt of a written description of the changes which is sufficient to demonstrate that the changes comply with the code."

**RESPONSE:** A time period limit on approving manufacturing programs is not feasible because the approval process time frame varies due to several circumstances. Final approval depends on postal service, Internal Accounting processing, complete and accurate application, and Third Party documentation. Therefore, it would be difficult to set a reasonable time period for completing approval in every situation. Currently the process is handled as promptly as possible in all situations. The Commission does not believe a time period for approving manufacturing programs is necessary.

**COMMENT:** 4 CSR 240-123.040 Section (7) subsection (E) requires the director to withdraw approval of a manufacturing program if the director finds that a manufacturer has failed to renew plans of units produced under the program. There is no statement as to how often plans must be renewed. The Association poses these questions: Does the rule contemplate a renewal of plans each and every year even though plans may not change from year to year? Does the rule require a new set of detailed plans and new quality control manuals even if there have been no changes in those documents since the last renewal? The Association suggests there is no need to renew or submit new sets of detailed plans and quality control manuals so long as the manufacturer has not changed its plans or manual.

**RESPONSE AND EXPLANATION OF CHANGE:** The Commission agrees that Section (7) subsection (E) does not clearly specify how often plans must be renewed, and proposes to revise the text in Section (11) to reflect that plans must be renewed annually. The Commission believes that plans must be renewed annual-

ly to verify that each approved model remains in compliance with the adopted codes even if there have been no changes to a particular model.

COMMENT: 4 CSR 240-123.040 Section (5) requires the director to approve changes in a manufacturing program. The rule as written requires the director to promptly provide written approval of such changes. The rule does not provide a time period within which the director is to act. Therefore the Association proposes to modify Section (5) to include "the director shall provide written approval of such changes within ten (10) days of the director's receipt of a written description of the changes which is sufficient to demonstrate that the changes comply with the code."

RESPONSE: A time period limit on approving manufacturing programs is not feasible because the approval process time frame varies due to several circumstances. Final approval depends on postal service, Internal Accounting processing, complete and accurate application, and Third Party documentation. Therefore, it would be difficult to set a reasonable time period for completing approval in every situation. Currently the process is handled as promptly as possible in all situations. The Commission does not believe a time period for approving manufacturing programs is necessary.

COMMENT: The Association maintains that 4 CSR 240-123.040 Section (10) was formerly subsection (F) of Section (1), and should remain that way. The Association believes that for ease of compliance, Section (10) should once again become a subsection of Section (1). The purpose of Section (1) is to set out the information, documents and material, which must be submitted, to the director. All such information should be set out in Section (1) as it was originally.

RESPONSE: The proposed Section (10) is being proposed in its location to differentiate between the approval of a manufacturing program, and submittal of detailed plans. The original rule placed this text in Section (1), which described items that must be submitted to receive a manufacturing program approval. Detailed plans are part of the manufacturing program approval submittal, however, the proposed Section (10) location of the text is a better place to explain the ongoing plan approval process. It is the Commission's opinion that Section (10) should remain as proposed.

COMMENT: 4 CSR 240-123.040 Section (11) subsection (C) and (D) requires that changes in the systems of an existing modular unit plan must be submitted to the director for approval. More specifically, Subsection (C) deals with significant changes in a plan, and subsection (D) with simple changes in a plan. The Association asserts that there is no time frame stated for action by the director for approval, or rejections of plan submittals. The Association suggests that both sections contain wording similar to the following: Within ten (10) working days of the submittal to the director of the required fees and plan revisions, the director shall approve or refuse to approve the request. A notice of refusal shall specify the reason for the refusal.

RESPONSE: A set time period for approving modular units plans is not feasible because of the variables that could interfere. Plan approval applications must be complete for expeditious approval. The process as handled presently produces a plan approval as soon as possible after receipt by the Manufactured Housing Program; this time frame does not include Third Party, Internal Accounting and postal service handling, of which the Program has no control. The Commission believes a set time period for approving modular unit plans is not necessary.

#### **4 CSR 240-123.040 Approval of Manufacturing Programs**

(11) All subsequent modular unit plans and installation diagrams for each additional type of modular unit (or model) to be manufactured must also be submitted to the director for approval. Modular unit plan approvals shall be renewed annually on all models still in production. Each submittal shall comply with the following requirements:

### **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

#### **Division 240—Public Service Commission Chapter 123—Modular Units**

#### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 700.040 RSMo 2000, the commission adopts a rule as follows:

4 CSR 240-123.065 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1444). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Written comments were submitted by the Missouri Manufactured Housing Association (Association). There was no public hearing held. The Association opposes adoption of the amended rule.

COMMENT: Proposed rule 4 CSR 240-123.065 Section (3) fails to acknowledge that a dealer does not have a duty to arrange for the proper initial set up if the dealer obtains the purchaser's written waiver of that service. The proposed rule should acknowledge the waiver exception. Therefore, the Association proposes to revise the proposed rule as follows: If a dealer (unless the dealer obtains the waiver of initial setup referred to in paragraph (1) above) fails to arrange for the proper initial setup of a modular unit, the commission may discipline the dealer registration by suspending it, revoking it, or placing it on probation pursuant to the provisions of section 700.100 RSMo.

RESPONSE AND EXPLANATION OF CHANGE: The Commission agrees and will change 4 CSR 240-123.065(3) accordingly.

COMMENT: 4 CSR 240-123.065 provides that the Commission will not discipline a dealer registration for setup deficiencies occurring more than five (5) years after the date of sale. The Association believes the five (5) year time frame set out in the proposed rule is much too long. The Association believes a period of two (2) years is more than a sufficient time for any setup deficiencies to become evident. Furthermore, Section (4) of the proposed rule uses the term "setup deficiencies," and Section (2) defines the term "proper initial setup." The Association suggests that Section (4) be reworded so that the words "proper initial setup deficiencies" are substituted for the words "setup deficiencies."

RESPONSE: The Commission has heard discussions on the appropriate time period to hold dealers responsible for proper initial setup. After analyzing the information given to the Commission, the Commission is of the opinion that the five (5) year time period is sufficient and justified. The Commission has also reviewed all of the text in this proposed rule and does not agree that text in Section (4) needs to be changed.



#### 4 CSR 240-123.065 Modular Unit Dealer Setup Responsibilities

(3) If a dealer, unless the dealer obtains the waiver of initial setup referred to in section (1) above, fails to arrange for the proper initial setup of a modular unit, the commission may discipline the dealer's registration by suspending it, revoking it, or placing it on probation, pursuant to the provisions of section 700.100, RSMo.

#### Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 240—Public Service Commission Chapter 123—Modular Units

##### ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 700.460, RSMo 2000, the commission adopts a rule as follows:

4 CSR 240-123.070 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1444-1445). Changes have been made in the text of the proposed rule and are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Written comments were submitted by the Missouri Manufactured Housing Association (Association). There was no public hearing held. The Association submitted comments concerning rule 4 CSR 240-123.070. A change in section (7)(G) was made to clarify reporting requirements.

COMMENT: 4 CSR 240-123.070 Section (7) sets out the information monthly sales reports must contain. Section (7)(G) requires the sales report to include the serial number of a modular unit from the certificate of origin. The Association believes that this requirement cannot be met since modular manufacturers usually do not provide a certificate of origin. The Association recommends that Section (7)(G) state only that the serial number of each unit sold be reported. Also, Section (7)(J) and (L) requires the number of used units sold and the total sale price of each unit to be reported. Due to the passage of SB 317, the Association believes there is no reason to report data for used units sold unless those units are used for educational purposes. Furthermore, the Association believes that a copy of the actual monthly sales report should be attached to the proposed rule.

RESPONSE AND EXPLANATION OF CHANGE: The Commission agrees that Section (7)(G) can be revised to eliminate the words "certificate of origin." Therefore, text has been changed to reflect this agreement. However, the Commission does not agree that used modular unit sales do not have to be reported on a monthly bases. Monthly sales reporting is vital information to the Manufactured Housing Program for various accounting reasons, including budget projections. The Commission believes that used unit sales information is necessary and the language in Section (7)(J) and (L) is justified. The Commission believes it is cumbersome to attach forms to rulemaking because of the likelihood of future revisions made to the form, thus, requiring rule amendments just to change the attached form.

#### 4 CSR 240-123.070 Monthly Report Requirements for Registered Modular Unit Dealers

(7) Every monthly sales report shall contain the following information:

(G) The serial number for each unit sold;

#### Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 240—Public Service Commission Chapter 123—Modular Units

##### ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 700.010, RSMo 2000, the commission amends a rule as follows:

4 CSR 240-123.080 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1446). Changes have been made in the text of the proposed amendment, and are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Written comments were submitted by T. R. Arnold & Associates, Inc. (TRA), and the Missouri Association of Code Administrators (MACA). There was no public hearing held. TRA and MACA recommend that the Public Service Commission adopt the 2000 International Building Codes for the modular unit program. These recommendations were submitted in response to proposed amendments to 4 CSR 240-123.080.

COMMENT: TRA and MACA recommends that the following codes be adopted: *2000 International Building Code*; *2000 International Plumbing Code*; *2000 International Mechanical Code*; *2000 International Fuel Gas Code*; *2000 International Energy Conservation Code*; and the *1999 National Electric Code*. The recommendations are being made because the current BOCA and UBC Codes adopted by the Commission have combined into one family of codes, (International Building Codes), and will no longer be published after the dates of the editions being proposed in this rulemaking.

RESPONSE AND EXPLANATION OF CHANGE: The Commission believes that the recommendations made by TRA and MACA should be adopted. When the 4 CSR 240-123.080 rulemaking process began, the Manufactured Housing and Modular Units Program proposed the most current editions of the BOCA, UBC, CABO, and National Electric Code available at that time. However, since the beginning of the process, the 2000 International Codes were published. Therefore, the proposed amendments to 4 CSR 240-123.080(3)(A), (B), and (4), should further be amended to reflect the adoption of the above recommended 2000 International Codes. The 2000 International Code includes the CABO Model Energy Code, therefore, the amended section (4) should be deleted.

#### 4 CSR 240-123.080 Code For Modular Units

(3) The structure shall be manufactured in accordance with and meet the requirements of the following building codes: *International Building Code-2000*; *International Plumbing Code-2000*; *International Mechanical Code-2000*; *International Residential Code-2000*; *International Fuel Gas Code-2000*; and *National Electric Code NFPA-1999*.

(4) This rule incorporates by reference the full text of the material listed in section (3).

(5) All modular units shall meet or exceed the Seismic Zone requirements (one, two, or three, as defined in the applicable code in section (3) above) for the area in which the modular unit is placed. Modular unit plans submitted by a manufacturer under 4

CSR 240-123.040 shall specify the Seismic Zone for which the unit is built as well as the location where the unit will be placed. If a unit is built for open placement throughout the state of Missouri, it must be built to Seismic Zone Three requirements.

(6) Each modular unit shall bear a data plate affixed in a permanent manner near the main electrical panel or other readily accessible and visible location. Each data plate must be covered with a material that will make it possible to clean the data plate of ordinary dirt without obscuring the information. Each data plate shall include the following information at a minimum: name and address of manufacturer, serial and model number of the unit, date the unit was manufactured, code the unit was built to, Seismic Zone listing, name and address of third party engineering agency that reviewed and approved the plans submitted by the manufacturer under 4 CSR 240-123.040.

(7) All modular units manufactured on or after July 1, 1976, shall be set up or installed according to the manufacturer's installation manual.

#### **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

##### **Division 240—Public Service Commission Chapter 124—Manufactured Home Tie-Down Systems**

#### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 700.076, RSMo 2000, the commission amends a rule as follows:

#### **4 CSR 240-124.010 Definitions is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1446-1447). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

#### **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

##### **Division 240—Public Service Commission Chapter 124—Manufactured Home Tie-Down Systems**

#### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 700.076, RSMo 2000, the commission amends a rule as follows:

#### **4 CSR 240-124.040 is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1447). Changes have been made in the text of the proposed amendment and are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Written comments were submitted by the Missouri Manufactured Housing Association (Association). There was no public hearing held. The Association submitted comments concerning amended rule: 4 CSR 240-124.040. As a result

of the Association's comments, changes have been made to five sections of 4 CSR 240-124.040.

COMMENT: 4 CSR 240-124.040(2)(E) sets out the requirements for approval of anchor systems. Paragraph (2)(E)1., provides for the submittal of detailed drawings of proposed anchor systems. The Association believes that installation instructions should also accompany all approval applications.

RESPONSE AND EXPLANATION OF CHANGE: The Commission agrees that installation instruction should accompany all anchoring system approval applications. The Commission proposes that (2)(E)1. be revised to reflect this change.

COMMENT: 4 CSR 240-124.040 (2)(E)1.B., requires each drawing to bear a seal of a registered professional engineer, registered in the State of Missouri. The Association believes it is an unnecessary duplication of effort and unnecessary expense to require the seal of a Missouri registered engineer, and that the Commission should allow certification reciprocity with other States. Therefore, the Association proposes to reword subparagraph (2)(E)1.B. as follows: Each drawing and installation instruction shall bear the seal of a registered professional engineer.

RESPONSE: A requirement for receiving approval to become a third party engineering agency for purposes of representing the Missouri modular unit program is to have a Missouri registered engineer employed by the agency. The modular unit program has not required that drawings bear the seal of that particular engineer. However it is required that the engineering firm place its seal on all drawings being submitted for approval. Therefore, the Commission believes the text in 4 CSR 240-124.040(2)(E)1.B. is sufficient and should not be changed.

COMMENT: 4 CSR 240-124.040(2)(E)2., requires each anchor system model to be tested and verified by an "approved testing agency." The rule does not define "approved testing agency" nor does it set out a list of approved testing agencies. The Association believes a definition of "approved testing agencies," or a list of approved testing agencies be included in the rule.

RESPONSE AND EXPLANATION OF CHANGE: The Commission agrees that the term "approved testing agency" should be clarified. Therefore, the Commission proposes that this rule be revised to clarify or restate this requirement.

COMMENT: 4 CSR 240-124.040(2)(E)2.A., requires that an "authorized representative" must issue a certification concerning the pullout tests to be performed on each anchor system model. The rule does not define or identify the authorized representative and the Association believes that for the sake of clarity the term "authorized representative" should be defined.

RESPONSE AND EXPLANATION OF CHANGE: The Commission agrees that the term "authorized representative" should be clarified, and proposes that this rule be revised to clarify or restate this requirement.

COMMENT: 4 CSR 240-124.040(2)(E)2.A., also requires that each anchor tested must be "pulled at a 45 degree angle." A review of anchor manufacturer's instructions reveals that a pullout angle of between 40-degrees and 50-degrees is acceptable. The Association maintains that registered engineers have stated that a tolerance of plus or minus five degrees meets acceptable engineering standards, and that it would be virtually impossible for a testing agency to certify that a precise angle of 45-degrees was maintained throughout the tests.

RESPONSE AND EXPLANATION OF CHANGE: The Commission agrees that the above reference in subparagraph (2)(E)2.A. "pulled at a 45-degree angle," can be revised to state, "pulled at an angle between 40-degrees and 50-degrees."

COMMENT: 4 CSR 240-124.040(2)(E)2.B., provides "failure and ultimate load capacity tests shall be performed on three samples of each component part and must also be witnessed by the authorized representative." The Association believes that the testing required by this subsection duplicates the tests required by subparagraph (2)(E)2.C., and suggests that subparagraph (2)(E)2.B., be deleted.

RESPONSE: The Commission believes that subparagraph (2)(E)2.B. simply states the fact that load capacity tests must be performed on three samples of each component of an anchoring system and must be witnessed. Subparagraph (2)(E)2.C. expands further to explain the details of those tests. The Commission believes that the text in subparagraph (2)(E)2.B. is sufficient.

COMMENT: 4 CSR 240-124.040(2)(E)2.C., provides "The anchor will be approved for all soil test probe values at or above the soil test probe value in which the anchor is tested." This language applies to pullout tests conducted in the field and is inappropriately placed in the subsection dealing with laboratory tests. This sentence should be deleted from subparagraph (2)(E)2.C. and incorporated into subparagraph (2)(E)2.A.

RESPONSE AND EXPLANATION OF CHANGE: The Commission agrees that the language mentioned is out of place and should be deleted from subparagraph (2)(E)2.C. and placed in subparagraph (2)(E)2.A.

#### **4 CSR 240-124.040 Commission Approval of Manufactured Home Tie-Down Systems**

(2) Applications for an approval shall be submitted to the director and shall be executed by the owner or seller of the system on forms that shall be provided by the director upon request. To be complete, the applications shall include:

(E) A copy of the plans and specifications of the system for which the approval is sought.

1. Detailed drawings and installation instructions of each type of anchor system and for each type of component for which approval is sought must accompany the submittal;

A. Each drawing shall show model identification, all dimensions, types of welds or fastening, types of material, methods of securing strap, methods of attachment, orientation after installation in soil, direction(s) of applied load(s), and location of model number on the system and each component.

B. Each drawing shall bear the seal of a registered professional engineer, registered in the state of Missouri.

2. Each anchor system model must be tested and certified by a recognized testing agency to be in conformance with the standards promulgated by the commission and accepted engineering practice.

A. Pullout tests shall be performed on three (3) samples of each anchor system model and the failure load for all three (3) tests must equal or exceed four thousand seven hundred twenty-five (4,725) pounds. An authorized representative of the commission must certify that three (3) pullout tests were performed on each anchor system model. The anchor shall be installed with the specified tie attached, in a soil type for which the anchor is designed and pulled at an angle between forty degrees (40°) and fifty degrees (50°). The anchor will be approved for all soil test probe values at or above the soil test probe value in which the anchor is tested. The device shall be set up as required by the installation instructions. The test report shall include a photograph or drawing. The load at failure and the type of failure shall be described. The anchoring system must be capable of meeting or exceeding the Zone 1 wind load requirements of the Federal Manufactured Home Construction and Safety Standards 24 CFR 3280.306.

B. Failure and ultimate load capacity tests shall be performed on three (3) samples of each component part and must also be witnessed by an authorized representative of the commission.

C. Laboratory destruction tests shall be performed on each anchor system model and the failure load must equal or exceed four thousand seven hundred twenty-five (4,725) pounds. These tests are needed to establish the required strengths of the components and component connections of an anchor.

3. The result from each test will indicate:

- A. Point and mode of failure;
- B. Force required for failure;
- C. Description of test procedure;
- D. Test equipment used.

4. The report of the results of the test in specified soil or rock groups will also include:

- A. Method of installation;
- B. Date of installation;
- C. Date of test;
- D. Soil profile description and soil test probe values.

5. The anchor manufacturer shall furnish and ship with each anchoring system, information on the types of soil in which the anchor has been tested and certified for installation, instructions on the method of installation, and procedure for identifying soil types. A copy of the installation instructions must be filed with the director.

6. The director, upon receipt of new or additional information relating to the performance of any anchoring system, or a similar anchoring system, may request from the manufacturer of that anchoring system, additional testing or supplemental information.

7. Rock anchors shall be tested in specified rock. Rock anchors shall be field-tested in natural rock strata or in a rock sample. There must be twelve-inch (12") minimum radius of rock around the drilled hole. The natural rock strata or rock sample must be geologically described;

### **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

#### **Division 240—Public Service Commission Chapter 124—Manufactured Home Tie-Down Systems**

### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under section 700.076, RSMo 2000, the commission adopts a rule as follows:

4 CSR 240-124.045 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 16, 2001 (26 MoReg 1447-1456). Changes have been made in the text of the proposed rule, and are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Written comments were submitted by the Missouri Manufactured Housing Association (Association). There was no public hearing held. The Association submitted comments concerning the following proposed rule: 4 CSR 240-124.045.

COMMENT: 4 CSR 240-124.045(1)(C), defines anchoring systems as follows: "Anchoring systems means a combination of ties, anchoring equipment, and ground anchors that will, when properly designed and installed, resist overturning and lateral movement of the manufactured home from wind forces." The Association maintains that the use of the words "ground anchors" is too restrictive, and further maintains that the use of the word "ground" in the definition creates an unnecessary limitation. The Association suggests that the word "ground" be deleted from the definition.

**RESPONSE AND EXPLANATION OF CHANGE:** The Commission agrees and proposes that the word “ground” should be deleted as suggested.

**COMMENT:** 4 CSR 240-124.045(6)(A), discusses the performance of anchors and states “Failure shall be considered to have occurred when the connection between the tie and anchor moves more than two inches vertically or three inches horizontally when pulled at an angle of forty-five degrees under a force of 4,725 pounds.” The Association believes this wording is ambiguous and would be more clearly stated by focusing on the movement of the head of the anchor. The Association also proposes to change the angle of pull from forty-five degrees to a range of forty to fifty degrees for the reasons already stated in comments on 4 CSR 240-124.040(2)(E)2.A. Therefore the Association proposes to reword this subsection as follows: Failure shall be considered to have occurred when the head of the anchor moves more than two inches vertically or three inches horizontally when pulled at an angle of between 40-degrees and 50-degrees under a force of 4,725 pounds.

**RESPONSE AND EXPLANATION OF CHANGE:** The Commission agrees and proposes that 4 CSR 240-124.045(6)(A) be changed accordingly.

**COMMENT:** 4 CSR 240-124.045(6)(B) deals with installation and testing of anchors and requires that each anchor be installed with a “minimum of 750 pounds of pre-load with a minimum of four wraps after installation.” The Association’s engineers stated that pre-tensioning to 750 pounds is a requirement that is impossible to monitor because of the inevitable relaxation in tension that occurs following installation. There is a nationally excepted standard for anchor installation and the engineers suggested that it be followed. Using the language contained in the national standard the Association proposes to reword the second sentence of subsection (6)(B) as follows: Each anchor shall be installed and pre-tensioned until it is flush with the stabilizer plate. The slotted bolt must have a minimum of four wraps of the strap after installation.

**RESPONSE AND EXPLANATION OF CHANGE:** The Commission agrees and proposes that 4 CSR 240-124.045(6)(B) be changed accordingly.

**COMMENT:** 4 CSR 240-124.045(8) deals with spacing of anchors in wind zone 1 conditions. Subsection (A) and (B) each deal with anchor spacing in relation to beam spacing. However, approximately eighty percent of the manufactured homes sold have beam spacing measurements which are not addressed by either subsection (A) or (B). For instance, many manufactured homes have 99.5 inch beam spacing. The Association believes this proposed rule should be revised to be more all-inclusive.

**RESPONSE AND EXPLANATION OF CHANGE:** The Commission agrees and proposes that 4 CSR 240-124.045(8) be changed accordingly.

**COMMENT:** The Association believes that Table D attached to 4 CSR 240-124.045 should be revised. The criss-cross strapping system is recommended for use in homes where the 40-degree to 50-degree anchor angle cannot be achieved. Therefore, in order to make the caption of the table more descriptive the Association proposes to delete the words “For elevated single section homes (or portions thereof)” and in its place insert the words: For use in lieu of Diagonal Tie-Down Strap Spacing Table in circumstances where 40-degree to 50-degree anchor angle cannot be achieved. The Association further proposes to modify the wording under the drawing in Table D. Presently the wording is as follows: “50-degree minimum strap angle applies only to homes with 75.5 inch or less I-beam spacing.” The Association believes that this is an incorrect statement. The Association proposes to reword it as follows: 50-degree minimum strap angle applies to all homes.

**RESPONSE AND EXPLANATION OF CHANGE:** The Commission agrees and proposes that the caption of Table D be revised to reflect the suggested change. Rather than revise and reword the “50-degree minimum strap angle applying to homes with 75.5 inch or less I-beam spacing” reference, the Commission proposes to delete that text all together because the reference is incorrect and not necessary.

**COMMENT:** The Association proposes to reword the heading of Table E attached to 4 CSR 240-124.045 as follows: Table E strapping system for use in lieu of Diagonal Tie-Down Strap Spacing Table in circumstances where 40-degree to 50-degree anchor angle cannot be achieved. The Association also maintains that in the opinion of the Association’s engineers the method of strapping shown in Table E is incorrect. The Association provided an example drawing to detail the correct strapping method and to propose a more technical reference to the name of the method.

**RESPONSE AND EXPLANATION OF CHANGE:** The Commission agrees and proposes that the caption of Table E be revised to reflect the suggested change with the exception of referencing a 40-degree to 50-degree strap angle, instead of a 40-degree to 50-degree anchor angle. The Commission also agrees that the cross strapping diagrams are incorrect and should be revised as suggested, with the exception that the vertical straps, which should not be eliminated. Vertical straps are still required for purposes of uplift in this diagram.

**COMMENT:** The Association maintains that the regulations as written prohibit the use of vertical ties to stabilize a home, and that vertical ties are not required in wind zone one but are required in wind zones two and three. Missouri is wind zone one. However, the Association believes that in certain circumstances, vertical ties may be a useful alternative and therefore should not be prohibited in the proper circumstance.

**RESPONSE:** Missouri regulations do not prohibit vertical ties; the regulations do state however, that vertical ties are not required in wind zone one. Since the use of vertical ties are not prohibited by State regulations, then anyone could install them if desired.

#### **4 CSR 240-124.045 Anchoring Standards**

(1) Definitions. The following definitions, as well as those set out in section 700.010, RSMo apply to this chapter:

(C) Anchoring systems means a combination of ties, anchoring equipment, and anchors that will, when properly designed and installed, resist overturning and lateral movement of the manufactured home from wind forces;

(6) Anchors.

(A) Each anchor, when installed in classified soil, must be capable of resisting a minimum allowable working load of three thousand one hundred fifty (3,150) pounds in the direction of the tie, plus a fifty percent (50%) overload (four thousand seven hundred twenty-five (4,725) pounds total) without failure. Failure shall be considered to have occurred when the head of the anchor moves more than two inches (2") vertically or three inches (3") horizontally when pulled at an angle of between forty degrees (40°) and fifty degrees (50°) under a force of four thousand seven hundred twenty-five (4,725) pounds.

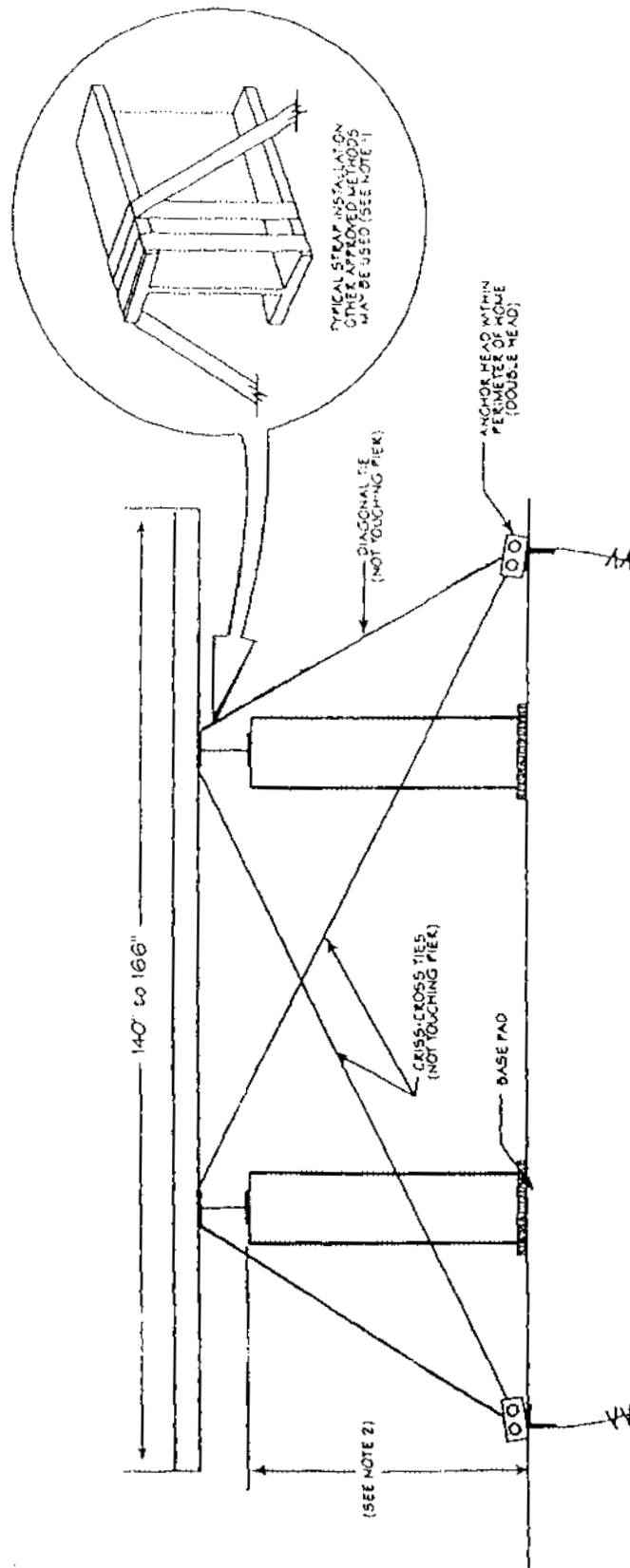
(B) Each manufactured anchor shall be tested and installed in accordance with the terms of its specified testing procedures and the anchor manufacturer’s instructions. Each anchor shall be installed and pre-tensioned until it is flush with the stabilizer plate. The slotted bolt must have a minimum of four (4) wraps of the strap after installation.

(8) Spacing for Federal Manufactured Home Construction and Safety Standards Wind Zone 1 Conditions.

(A) If the floor width is one hundred sixty-six inches (166") (typical fourteen (14)-wide), with I-beam spacing ninety-five inches (95") or greater center to center and the distance from the top of the footer to the top of the I-beam is no higher than sixty-four inches (64"), anchors shall be spaced eight feet (8') apart for classified soil, or five feet (5') apart for unclassified soil.

(B) If the floor width is one hundred forty-one inches (141") (typical twelve (12)-wide), with I-beam spacing seventy-five and one-half inches (75.5") or greater center to center and the distance from the top of the footer to the top of the I-beam is no higher than fifty-two inches (52"), anchors shall be spaced six feet (6') apart for classified soil, or four feet (4') apart for unclassified soil.

TABLE (D)  
ALTERNATIVE STRAPING SYSTEM FOR SINGLE SECTION HOMES  
For use in lieu of diagonal tie down strap spacing in circumstances  
where 40 degree to 50 degree strap angle cannot be achieved

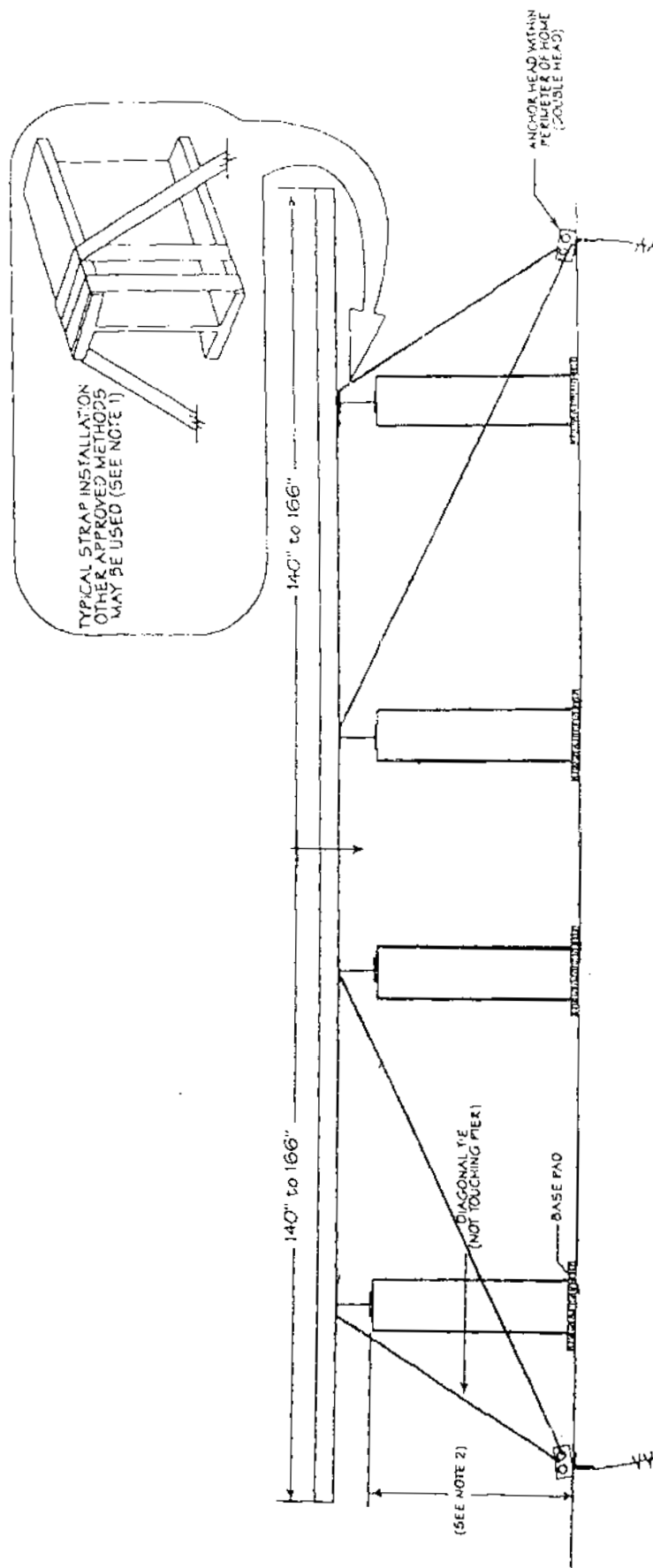


NOTES:

1. Inset drawing shows typical strap installation. All anchors, devices, and tiedown straps to be rated for a 3150 lbs. working load (4725 lbs. overload capacity), in classified soils.
2. Pier height is measured from the top of the ground to the top of the I-Beam. Pier heights exceeding 80' must have piers and tiedowns designed by a Professional Engineer. Minimum pier height is 12'.

TABLE (E)  
ALTERNATIVE STRAPING SYSTEM FOR MULTI-SECTION HOMES

For use in lieu of diagonal tie down strap spacing in circumstances where 40 degree to 50 degree strap angle cannot be achieved



NOTES:

1. Inset drawing shows typical strap installation. All anchors, devices, and tiedown straps to be rated for a 3150 lbs. working load (4725 lbs. overload capacity), in classified soils.
2. Pier height is measured from the top of the ground to the top of the I-Beam. Pier heights exceeding 80" must have piers and tiedowns designed by a Professional Engineer. Minimum pier height is 12".

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 30—Child Support Enforcement  
Chapter 10—Fees**

**ORDER OF RULEMAKING**

By the authority vested in the director of the Missouri Department of Social Services, Division of Child Support Enforcement under section 454.400.2(5), RSMo 2000, the director adopts a rule as follows:

**13 CSR 30-10.010 Annual Fee is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1681-1683). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The department received one written comment during the official comment period, which ended October 4, 2001. The comment was from the Grass Roots Organizing of Mexico, Missouri. The comments as well as the department's responses are listed below.

**COMMENT:** The organization requested that a public hearing be held on this rule.

**RESPONSE:** The director is not planning a public hearing at this time.

**COMMENT:** The comment was made that this rule is different from the previous rule filed in June of 2001 and is confusing.

**RESPONSE:** The rule is different from the one filed in June, which was withdrawn. The director does not believe this rule is confusing.

**COMMENT:** The group objects to the collection of this fee from former TANF and Medicaid cases, and from cases that have received child support services.

**RESPONSE:** The fee will be charged only to cases that are currently non-IV-D. If the case is currently non-IV-D, but was formerly TANF or Medicaid, it will be charged a fee only if all arrears owed to the State have been paid.

**COMMENT:** This group opposes the fee coming from current support being paid to the custodial parent.

**RESPONSE:** This is allowed by statute (section 454.548, RSMo 2000).

**COMMENT:** The group is upset that the parent's arrearage obligation is not considered in the rule.

**RESPONSE:** Arrearage obligations are not considered in this rule because the statute does not permit nor require such considerations.

**Title 15—ELECTED OFFICIALS  
Division 60—Attorney General  
Chapter 10—Reporting of Motor Vehicle Stops by Law  
Enforcement Agencies**

**ORDER OF RULEMAKING**

By the authority vested in the Attorney General under section 590.650, RSMo Supp. 2001, the Attorney General rescinds a rule as follows:

**15 CSR 60-10.020 Report to Attorney General by Law  
Enforcement Agencies is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1684). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 15—ELECTED OFFICIALS  
Division 60—Attorney General  
Chapter 10—Reporting of Motor Vehicle Stops by Law  
Enforcement Agencies**

**ORDER OF RULEMAKING**

By the authority vested in the Attorney General under section 590.650, RSMo Supp. 2001, the Attorney General adopts a rule as follows:

**15 CSR 60-10.020 Report to Attorney General by Law  
Enforcement Agencies is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1684-1685). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 15—ELECTED OFFICIALS  
Division 60—Attorney General  
Chapter 10—Reporting of Motor Vehicle Stops by Law  
Enforcement Agencies**

**ORDER OF RULEMAKING**

By the authority vested in the Attorney General under section 590.650, RSMo Supp. 2001, the Attorney General rescinds a rule as follows:

**15 CSR 60-10.030 Reporting Forms is rescinded.**

A notice of proposed rulemaking containing the rule proposed rescission was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1685). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 15—ELECTED OFFICIALS  
Division 60—Attorney General  
Chapter 10—Reporting of Motor Vehicle Stops by Law  
Enforcement Agencies**

**ORDER OF RULEMAKING**

By the authority vested in the Attorney General under section 590.650, RSMo Supp. 2001, the Attorney General adopts a rule as follows:

**15 CSR 60-10.030 Reporting Forms is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 4,



2001 (26 MoReg 1685–1686). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES**  
**Division 40—Division of Maternal, Child and Family Health**  
**Chapter 9—Universal Newborn Hearing Screening Program**

**ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Health and Senior Services under section 191.411, RSMo Supp. 2001, the director adopts a rule as follows:

**19 CSR 40-9.010 Definitions is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1686–1687). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES**  
**Division 40—Division of Maternal, Child and Family Health**  
**Chapter 9—Universal Newborn Hearing Screening Program**

**ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Health and Senior Services under section 191.411, RSMo Supp. 2001, the director adopts a rule as follows:

**19 CSR 40-9.020 Screening Methodologies and Procedures is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1687–1696). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES**  
**Division 40—Division of Maternal, Child and Family Health**  
**Chapter 9—Universal Newborn Hearing Screening Program**

**ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Health and Senior Services under section 191.411, RSMo Supp. 2001, the director adopts a rule as follows:

**19 CSR 40-9.040 Information to be Reported to the Department of Health is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1697–1703). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**T**his section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 220—State Board of Pharmacy  
Chapter 2—General Rules**

**IN ADDITION**

A proposed amendment, 4 CSR 220-2.085, was published in the *Missouri Register* on May 15, 2001 (26 MoReg 1025) and a final order of rulemaking was published on October 1, 2001 (26 MoReg 1928-1929). A typographical error occurred in paragraph (2)(C)3., the word “as” should have been “was.” This correction is included in the December update to the *Code of State Regulations*.

**4 CSR 220-2.085 Electronic Transmission of Prescription Data**

(2) When a prescription is transmitted to a pharmacy electronically, the following requirements must be met:

(C) In verifying the authenticity of a transmitted prescription, the pharmacist shall ensure the validity of the prescription as to its source of origin. Measures to be considered in authenticating prescription drug orders received via electronic transmission include:

1. Maintenance of a practitioner’s facsimile number reference or other electronic signature file;
2. Verification of the telephone number of the originating facsimile equipment;
3. Telephone verification with the practitioner’s office that the prescription was both written by the practitioner and transmitted by the practitioner or the practitioner’s authorized agent;
4. Other efforts which, in the professional judgment of the pharmacist, may be necessary to ensure the transmission was initiated by the prescriber;

## Construction Transient

The following is a list of all construction contractors performing work on construction projects in Missouri who are known by the Department of Revenue to be transient employers pursuant to Section 285.230, RSMo. This list is provided as a guideline to assist public bodies with their responsibilities under this section that states, "any county, city, town, village or any other political subdivision which requires a building permit for a person to perform certain construction projects shall require a transient employer to show proof that the employer has been issued a tax clearance and has filed a financial assurance instrument as required by Section 285.230 before such entity issues a building permit to the transient employer."

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
A & J CONSTRUCTION CO	RT 1 BOX 45	FLORIS	IA	52560
A FISCHER BUILDERS INC	814 OHIO ST	QUINCY	IL	62301
AC LEADBETTER & SON INC	110 ARCO DR	TOLEDO	OH	43615
ACI MECHANICAL CORPORATION	3116 SOUTH DUFF AVE	AMES	IA	50010
ACI MECHANICAL INC	3116 S DUFF AVE	AMES	IA	50010
ADDISON CONSTRUCTION CO	1526 HORSE CREEK RD	CHEYENNE	WY	82009
ADUDELL ROOFING & SHEET METAL INC	14220 S MERIDIAN	OKLAHOMA	OK	73173
ADVANCED ELECTRICAL SYSTEMS INC	33867 W 287TH ST	PAOLA	KS	66071
ADVANCED PROTECTIVE COATING INC	2530 BAYARD ST	KANSAS CITY	KS	66105
AEI INC	735 GLASER PKWY	AKORN	OH	44306
AERIAL SOLUTIONS INC	7074 RAMSEY FORD ROAD	TABOR CITY	NC	28463
AGRA FOUNDATIONS INC	10108 32ND AVE W C-3 #A2	EVERETT	WA	98204
AIDE INC	2510 WADE HAMPTON BLVD	GREENVILLE	SC	29606
AKI CONTROL SYSTEMS INC	P O BOX 444	WALLER	TX	77484
ALLIANCE INTEGRATED SYSTEMS INC	1500 STUDEMONT	HOUSTON	TX	77007
ALLIED UNIKING CORPORATION INC	4750 CROMWELL AVE	MEMPHIS	TN	38118
ALLSTATE SPECIALTY CONSTRUCTION INC	32700 W 255TH ST	PAOLA	KS	66071
AMAN ENVIRONMENTAL CONSTRUCTION INC	100 CALIFORNIA ST TX DEPT	SAN FRANCISCO	CA	94111
AMERICAN IRONWORKS INC	100 S MAIN	CUTLER	IL	62238
AMERICAN MASONRY CO	1016 W EUCLID	PITTSBURG	KS	66762
AMERICASDOCTOR.COM COORDINATORS SERVICES INC	3315 S 23RD STR 108	TACOMA	WA	98405
ANDERSEN TRENCHING & EXCAVATING INC	17263 SUMAC RD	HONEY CREEK	IA	51542
ANGELO IAFRATE CONSTRUCTION COMPANY	26400 SHERWOOD	WARREN	MI	48091
ANTIGO CONSTRUCTION INC	2520 N CLERMONT ST	ANTIGO	WI	54409
API INC	2366 ROSE PL	ST PAUL	MN	55113
APPLICATION CONTRACTORS SERVICES IN	14409 W EDISON DR #13A	NEW LENOX	IL	60451
ARCHITECTURAL GLAZING PROFESSIONALS	11655 CLARE RD	OLATHE	KS	66061
ARGUSS COMMUNICATIONS GROUP INC	DOVER RD	EPSOM	NH	03234
ARKANSAS CONTRACTORS	1308 CHURCH	BARLING	AR	72952
ARNOLD & MADSON INC	1995 CENTURY AVE SO	WOODBURY	MN	55125
ARROW PAINTING	P O BOX 407	PICKERINGTON	OH	43147
ASPHALT STONE COMPANY	520 N WEBSTER	JACKSONVILLE	IL	62650
AUGERS UNLIMITED INC	14910 METROPOLITAN AVE	BONNER SPRNGS	KS	66012

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
AUTRY CONSTRUCTION INC	140 E 3RD	BAXTER SPRINGS	KS	66713
B & B CONTRACTORS INC	13745 SEMINOLE DR	CHINO	CA	91710
B & B DRYWALL CO INC	10567 WIDMER	LENEXA	KS	66215
B & B PERMASTORE INC	6750 W 75TH STE 1A	OVERLAND PARK	KS	66204
BADGER INDUSTRIAL CONTRACTORS INC	105 FAIRVIEW RD	ASHEVILLE	NC	28803
BALL CONSTRUCTION INC	13922 WEST 108TH ST	LENEXA	KS	66215
BANKERS EDGE	1288 VALLEY FORGE STE 50	VALLEY FORGE	PA	19482
BARROWS EXCAVATION INC	49 COUNTY RD #404	BERRYVILLE	AR	72616
BARTLETT NUCLEAR INC	60 INDUSTRIAL PARK RD	PLYMOUTH	MA	02360
BASTIAN MATERIAL HANDLING	9820 ASSOCIATION CT	INDIANAPOLIS	IN	46280
BAZIN EXCAVATING INC	15233 BROADMOOR	OVERLAND PARK	KS	66283
BE & K ENGINEERING COMPANY	2000 INTERNATIONAL PK DR	BIRMINGHAM	AL	35243
BEL CLAIR ELECTRIC INC	912 S BELT W	BELLEVILLE	IL	62220
BENCHMARK INC	6065 HUNTINGTON CT NE	CEDAR RAPIDS	IA	52402
BERNIE JANNING TERRAZZO & TILE INC	17509 HWY 71	CARROLL	IA	51401
BEST PLUMBING & HEATING	421 SECTION OD	SCAMMON	KS	66773
BEW CONSTRUCTION CO INC	1319 MAIN ST	WOODWARD	OK	73801
BILL DAVIS ROOFING LC	628 VERMONT	LAWRENCE	KS	66044
BJ ERECTION CORPORATION	16626 MILES AVE	CLEVELAND	OH	44128
BLACKSHIRE CONSTRUCTION INC	ROUTE 14 BOX 942	ELIZABETH	WV	26143
BLAZE MECHANICAL INC	15755 S 169 HWY STE E	OLATHE	KS	66062
BLICKS CONSTRUCTION CO INC	LOCK & DAM RD	QUINCY	IL	62301
BOB FLORENCE CONTRACTOR INC	1934 S KANSAS AVE	TOPEKA	KS	66612
BOB MUEHLBERGER CONCRETE INC	5726 MERRIAM DR	MERRIAM	KS	66203
BOH BROS CONSTRUCTION CO LLC	730 S TONTI ST	NEW ORLEANS	LA	70119
BONNEVILLE CONSTRUCTION CO INC	4075 W DESERT INN RD # B	LAS VEGAS	NV	89102
BOYD ELECTRIC INC	3315 N 70TH ST	KANSAS CITY	KS	66109
BRADEN CONSTRUCTION SERVICES INC	5110 N MINGO RD	TULSA	OK	74117
BRB CONTRACTORS INC	400 W CURTIS	TOPEKA	KS	66608
BRIGHTON PAINTING CO	339 OLD ST LOUIS RD	WOOD RIVER	IL	62095
BRINK ELECTRIC CONSTRUCTION CO	2950 N PLAZA DR	RAPID CITY	SD	57702
BRUCE TRUCKING AND EXCAVATING INC	4401 HWY 162	GRANITE CITY	IL	62040
BUCKLEY ROOFING CO INC	3601 N HYDRAULIC	WICHITA	KS	67219
BUILDINGS INC	235 SOUTH 40TH	SPRINGDALE	AR	72765
BUILT WELL CONSTRUCTION CO	MAIN ST HWY 279 S	HIWASSE	AR	72739
C & C CONTRACTING INC	222 SOUTH SECOND ST	ORLEANS	IN	47452
C IBER & SONS INC	3212 N MAIN	EAST PEORIA	IL	61611
CALLS METAL BLDG ERECTORS INC	8128 12TH ST	SOMERS	WI	53171
CAPITAL INSULATION INC	3210 NE MERIDEN RD	TOPEKA	KS	66617
CARNEY DEMOLITION	303 S HALSTED	CHICAGO	IL	60661
CARTER MOORE INC	1865 E MAIN ST STE F	DUNCAN	SC	29334
CAS CONSTRUCTION INC	501 NE BURGESS	TOPEKA	KS	66608

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
CASE FOUNDATION CO	1325 W LAKE ST	ROSELLE	IL	60172
CASHATT & SONS CORP	BOX 74	RED OAK	IA	51566
CCC GROUP INC	5797 DIETRICH RD	SAN ANTONIO	TX	78219
CDK CONTRACTING COMPANY	800 S HUTTON RD	FARMINGTON	NM	87401
CDK SKANSKA INC	800 S HUTTON RD	FARMINGTON	NM	87401
CENTRAL CEILING SYSTEMS INC	105 INDUSTRIAL PARK	DEERFIELD	WI	53531
CENTRAL FOUNDATION INC	915 MARION RD S	CENTRAL CITY	IA	52214
CENTRAL ILLINOIS TILE CO	3302 N MATTIS AVE	CHAMPAIGN	IL	61821
CENTRAL STATES CONTRACTING INC	1007 COURT	CLAY CENTER	KS	67432
CENTRAL STATES CONTRACTING SERVICES	610 S 78TH ST	KANSAS CITY	KS	66111
CENTRAL STATES ENVIRONMENTAL SERVIC	609 AIRPORT ROAD	CENTRALIA	IL	62801
CENTURY MECHANICAL CONTRACTORS INC	15480 S 169 HWY	OLATHE	KS	66051
CHALLENGE CONSTRUCTION	PO BOX 1509	MANVEL	TX	77578
CHANCE CONSTRUCTION CO	ITALY & BARBER ST	HEMPHILL	TX	75948
CHANCELLOR & SON INC	7474 RALEIGH LAGRANGE RD	CORDOVA	TN	38018
CHESTER PHILLIPS CONSTRUCTION COMPANY	1501 N UNIVERSITY STE 740	LITTLE ROCK	AR	72207
CLARK CORPORATION THE	141 CATHERINE ST	EAST PEORIA	IL	61611
CLEVINGER CONTRACTORS INC	NAPLES LANE RR1 PO BOX 19	BLUFFS	IL	62621
CLIFFORD LEE & ASSOCIATES	292 MELVIN HARRIS DR	MANCHESTER	GA	31816
COAST TO COAST BUILDERS INC	750 E FUNSTON	WICHITA	KS	67211
COASTAL GUNITE CONSTRUCTION CO	16 WASHINGTON ST	CAMBRIDGE	MD	21613
COE CONSTRUCTION INC	2302 E 13TH ST	LOVELAND	CO	80537
COLLECTOR WELLS INTERNATIONAL INC	6360 HUNTLEY RD	COLUMBUS	OH	43229
COMMERCIAL CONTRACTING CO OF SAN AN	5797 DIETRICH RD	SAN ANTONIO	TX	78219
COMMERCIAL CONTRACTORS INC	729 LINCOLN AVE	HOLLAND	MI	49423
COMO TECH INSPECTIONS INC	40 DEEP CREEK RD	MANHATTAN	KS	66502
CONLEY SPRINKLER INC	822 MAIN	PLEASANTON	KS	66075
CONSTRUCTION MANAGEMENT INC	108 JACKMAN ST	GEORGETOWN	MA	01833
CONSTRUCTION MARKET DATA GROUP INC	275 WASHINGTON ST	NEWTON	MA	02458
CONSTRUCTION SERVICES BRYANT INC	232 NEW YORK ST	WICHITA	KS	67214
CONTRACT DEWATERING SERVICES INC	5820 W RIVERSIDE DR	SARANAC	MI	48881
CONTRACTOR SERVICES INC	122 EAST 17TH ST	DAVENPORT	IA	52808
COOPERS STEEL FABRICATORS	503 N HILLCREST DR	SHELBYVILLE	TN	37162
CORNERSTONE COMMERCIAL CONTRACTORS	1260 JERICO	CORNING	IA	50841
CORONA POWER SERVICES INC	5220 MINOLA DR	LITHONIA	GA	30038
CORONADO INC	1835 WALL ST	SALINA	KS	67401
COST OF WISCONSIN INC	W172N13050 DIVISION RD	ROCKFIELD	WI	53077
COWARTS CONSTRUCTION COMPANY INC	WILDERNESS RD	SALEM	AR	72576
CRANE CONSTRUCTION COMPANY LLC	343 WAINWRIGHT DR	NORTHBROOK	IL	60062
CREEK ELECTRIC INC	2811 W PAWNEE ST	WICHITA	KS	67213
CRONISTER & COMPANY INC	FORBES FIELD BL 281 UNT E	TOPEKA	KS	66619
CROSSLAND HEAVY CONTRACTORS INC	S HWY 69	COLUMBUS	KS	66275

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
CROWN CORR INC	7100 W 21ST AVE	GARY	IN	46406
CUNNINGHAM INC	112 6TH AVENUE W	OSKALOOSA	IA	52577
CUST O FAB TANK SERVICES LLC	1900 N 161ST E AVE	TULSA	OK	74116
CUSTOM ROCK INTERNATIONAL	1156 HOMER ST	ST PAUL	MN	55116
CUTCO INC	RR 1 BOX 121	WYOMING	IL	61491
CYLX CORPORATION	BOX 1087	BARTLESVILLE	OK	74005
D & D PIPELINE CONSTRUCTION CO INC	4700 W HWY 117	SAPULPA	OK	74066
DALRYMPLE & CO	3675 S NOLAND RD STE 102	INDEPENDENCE	MO	64055
DANNYS CONSTRUCTION CO INCORPORATED	1066 WEST THIRD AVENUE	SHAKOPEE	MN	55379
DAVID A NICE BUILDERS INC	4571 WARE CREEK ROAD	WILLIAMSBURG	VA	23188
DAVIS ELECTRICAL CONSTRUCTORS INC	429 N MAIN ST	GREENVILLE	SC	29602
DCG PETERSON BROTHERS COMPANY	5005 S HWY 71	SIOUX RAPIDS	IA	50585
DDD COMPANY	8000 CORPORATE DR STE 100	LANDOVER	MD	20785
DELCO ELECTRIC INC	7615 N CLASSEN BLVD	OKLAHOMA CITY	OK	73116
DEMCO INC	238 LEIN RD	BUFFALO	NY	14224
DIAMOND CONSTRUCTION COMPANY	2000 N 18TH ST	QUINCY	IL	62301
DIAMOND ELECTRIC SERVICE INC	21325 W 105TH ST	OLATHE	KS	66061
DIAMOND SURFACE INC	13792 REIMER DR N	MAPLE GROVE	MN	55311
DIG AMERICA UTILITY CONTRACTING INC	606 25TH AVE SO STE 202	ST CLOUD	MN	56301
DIMENSIONAL TECHNOLOGY INC	6717 LINDEN LN	HUNTLEY	IL	60142
DIVINE INC	2310 REFUGEE RD	COLUMBUS	OH	43207
DL SMITH ELECTRICAL CONSTRUCTION INC	1405 SW 41ST ST	TOPEKA	KS	66609
DOBSON DAVIS COMPANY	8521 RICHARDS RD	LENEXA	KS	66215
DOME CORPORATION OF NORTH AMERICA	5450 EAST ST	SAGINAW	MI	48601
DON BELL HOMES INC	11599 N RIDGEVIEW	OLATHE	KS	66061
DONALD E MCNABB COMPANY INC	31250 S MILFORD RD	MILFORD	MI	48381
DOSTER CONSTRUCTION CO INC	2619 COMMERCE BLVD	BHAM	AL	35210
DOUBLE O MASONRY INC	722 S 260TH ST	PITTSBURG	KS	66762
DRAINAGE & GROUND IMPROVEMENT INC	275 MILLERS RUN RD	BRIDGEVILLE	PA	15017
DUAL TEMP ILLINOIS INC	3801 S SANGAMON ST	CHICAGO	IL	60609
DUOING ENTERPRISES INC	1910 ESTELLE LANE	PLACENTIA	CA	92870
DUSTROL INC	GEN DEL	EL DORADO	KS	67042
DW PROEHL CONSTRUCTION INC	818 N HELEN AVE	SIOUX FALLS	SD	57104
ECONOMY ELECTRICAL CONTRACTORS	101 CENTURY 21 DR #204	JACKSONVILLE	FL	32216
EDWARD KRAEMER & SONS INC	ONE PLAINVIEW RD	PLAIN	WI	53577
ELECTRICAL LINE SERVICES INC	14200 S TULSA DR	OKLAHOMA CITY	OK	73170
ENERGY DELIVERY SERVICES INC	3909 W FIFTH ST	CHEYENNE	WY	82003
ENERGY SYSTEMS GROUP LLC	101 PLAZA E BLVD 320	EVANSVILLE	IN	47715
ENTRUP DRYWALL & PAINTING INC	3 BLUFF VEIW RD	QUINCY	IL	62301
ENVIRONMENTAL SYSTEMS DESIGN INC	55 E MONROE ST STE 1660	CHICAGO	IL	60603
EQUUS METALS	1415 S JOPLIN AVE	TULSA	OK	74112
ERVIN CABLE CONSTRUCTION INC	260 N LINCOLN BLVD E	SHAWNEETOWN	IL	62984

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
ESCO ELECTRICAL SERVICES INC	520 E MAIN	EL DORADO	AR	71730
EVCO NATIONAL INC	339 OLD ST LOUIS RD	WOOD RIVER	IL	62095
EXCEL CABLE CONSTRUCTION INC	11501 COLUMBIA PK DR WEST	JACKSONVILLE	FL	32258
EXXEL PACIFIC INC	323A TELEGRAPH RD	BELLINGHAM	WA	98226
FABCON INCORPORATED	6111 WEST HIGHWAY 13	SAVAGE	MN	55378
FABCON LLC	3400 JACKSON PIKE	GROVE CITY	OH	43123
FALCON ELECTRIC INC	100 NORTH FIRST ST	CLARKSBURG	WV	26301
FARABEE MECHANICAL INC	P O BOX 1748	HICKMAN	NE	68372
FAYETTEVILLE PLUMBING & HEATING CO INC	P O BOX 1061	FAYETTEVILLE	AR	72702
FEDERAL FIRE PROTECTION INC	805 SECRETARY DR STE A	ARLINGTON	TX	76015
FISHEL COMPANY THE	1810 ARLINGATE LN	COLUMBUS	OH	43228
FJW GROUP INC	905 W MITCHELL	ARLINGTON	TX	76013
FLOOR CRETE ENTERPRISES INC	6223 GESSNER DR	HOUSTON	TX	77041
FOLTZ CONSTRUCTION INC	BOX 38	PATOKA	IL	62875
FOLTZ WELDING PIPELINE MAINTENANCE	501 E CLINTON AVE	PATOKA	IL	62875
FORD CONTRACTING CORP	1307 E COURT ST	DYERSBURG	TN	38024
FREESIN INC	316 S PEARL	BLUFFS	IL	62621
GALACTIC TECHNOLOGIES INC	400 N LOOP 1604 E STE 210	SAN ANTONIO	TX	78232
GAMMA CONSTRUCTION COMPANY	2808 JOANEL	HOUSTON	TX	77027
GARY SANDERS MASONRY	109 AVE F	WEST POINT	IA	52656
GEISSLER ROOFING CO INC	612 S 3RD ST	BELLEVILLE	IL	62220
GENE FRITZEL CONSTRUCTION COMPANY I	628 VERMONT	LAWRENCE	KS	66044
GENE FRITZEL CONSTRUCTION SERVICES	628 VERMONT	LAWRENCE	KS	66044
GFS LIFESAFETY CORP	LCR 740A RT 3 BOX 62B	THORNTON	TX	76687
GIBRALTAR CONSTRUCTION CO INC	42 HUDSON ST STE A207	ANNAPOLIS	MD	21401
GINGHER PROCESS PIPING INC	3011 N MAIN ST	EAST PEORIA	IL	61611
GLEESON CONSTRUCTORS INC	2015 E 7TH ST	SIOUX CITY	IA	51105
GLOBAL COMPUTER ASSOCIATES INC	3 GARRET MOUNTAIN PLAZA	WEST PATERSON	NJ	07424
GOERLICH ROOFING INC	4400 HARRISON	QUINCY	IL	62301
GRAYLING INCORPORATED	10258 SANTA FE DR	OVERLAND PARK	KS	66212
GRAZZINI BROS COMPANY	620 16TH AVE S	MINNEAPOLIS	MN	55454
GREAT SOUTH CONSTRUCTION CO INC	2500 HWY 31 SOUTH	PELHAM	AL	35124
GREAT SOUTHWESTERN CONSTRUCTION INC	6880 SO I 25	CASTLE ROCK	CO	80104
H & H SERVICES INC	391 OLD RTE N 66	HAMEL	IL	62046
H & H SYSTEMS & DESIGN INC	130 EAST MAIN ST	NEW ALBANY	IN	47150
H & L ELECTRIC INC	8651 E HIGHWAY 24	MANHATTAN	KS	66502
H & M CONSTRUCTION CO INC	431 LIBERTY ST	MILAN	TN	38358
H&H DRYWALL SPECIALTIES INC	5200 S YALE STE 610	TULSA	OK	74135
HARBERT YEARGIN INC	105 EDINBURGH CR	GREENVILLE	SC	29607
HARDAWAY CONSTRUCTION CORP OF TENNE	615 MAIN STREET	NASHVILLE	TN	37206
HARNESS ROOFING INC	P O BOX 1382	HARRISON	AR	72601
HART PAINTING	2555 SW 50	OKLAHOMA CITY	OK	73119

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
HEAD INC	4920 E FIFTH AVE	COLUMBUS	OH	43219
HENNING CONSTRUCTION COMPANY	5870 MERLE HAY RD	JOHNSTON	IA	50131
HENRIKSEN CONSTRUCTION INC	2418 E HWY 30 #2	KEARNEY	NE	68847
HERITAGE HOUSING DEVELOPMENT INC	16133 VENTURA BLVD #965	ENCINO	CA	91436
HERMAN STEWART CONSTRUCTION & DEVEL	7611 SOUTH OSBORNE RD	UPPER MARLBORO	MD	20772
HOGUE HORN & PASHMAN INC	922 MISSOURI	LAWRENCE	KS	66044
HOKE ELECTRICAL	P O BOX 170	TUSCOLA	IL	61953
HOLIAN ASBSTS RMVL & ENCPSTN CORP	7504 MEYER RD	SPRING GROVE	IL	60081
HOLLIS ROOFING INC	P O BOX 2229	COLUMBUS	MS	39704
HORIZON GENERAL CONTRACTORS INC	7315 W ELIZABETH LN	FT WORTH	TX	76116
HORIZONTAL BORING & TUNNELING CO	505 S RIVER AVE	EXETER	NE	68351
HOSPITALITY BUILDERS INC	PO BOX 1565	ABERDEEN	SD	57402
HUEGERICH CONSTRUCTION INC	512 N COURT	CARROLL	IA	51401
HUFF SEALING CORPORATION	HWY 15E	ALBION	IL	62806
HUSTON CONTRACTING INC	25640 W 143RD ST	OLATHE	KS	66061
HUTTON POWER & TELEPHONE CONSTRUCTION CO	ALONG HWY 45	RUSHVILLE	MO	64484
HUXTABLE KC SERVICE INC	16210 W 108TH	LENEXA	KS	66219
HY VEE WEITZ CONSTRUCTION LC	1501 50TH ST BLDG 1 #325	WEST DES MOINES	IA	50266
ILLINI MECHANICAL INC	1024 LOWRY	PITTSFIELD	IL	62363
ILLUMICO LIGHTING MAINT. LLC.	113 ST. MARTINS LANE	SMYRNA	TN	37167
INDUSTRIAL MAINTENANCE CONTRACTORS INC	2301 GARDEN CITY HWY	MIDLAND	TX	79701
INDUSTRIAL POWER & PROCESS CORP	P O BOX 38995	GREENSBORO	NC	27438
INDUSTRIAL PROCESS TECHNOLOGY INC	2213 7TH AVE N	FARGO	ND	58108
INDUSTRY SERVICES CO INC	5550 TODD ACRES DR	MOBILE	AL	36619
INGRAM CONSTRUCTION COMPANY INC OF	173 HOY RD	MADISON	MS	39110
INNOVATIVE SYSTEMS OF KANSAS INC	2915 STRONG AVE	KANSAS CITY	KS	66106
INSULCON COMPANY INC	10500 UNIVERSITY CTR #155	TAMPA	FL	33612
INTEC SERVICES INC	454 LINK LN	FT COLLINS	CO	80522
INTERSTATES ELEC & ENGINEERING	1520 INDUSTRIAL PARK	SIOUX CENTER	IA	51250
INTL BROTHERHOOD OF ELECTRICAL WORK	106 N MONROE ST	WEST FRANKFORT	IL	62896
IVEY MECHANICAL CO A PARTNERSHIP	514 NORTH WELLS ST	KUSCIUSKO	MS	39090
J & J CONSTRUCTION & SUPPLY INC	1136 W KANSAS	MCPHERSON	KS	67460
J & J MAINTENANCE INC	3755 CAPITAL OF TX HWY S	AUSTIN	TX	78704
J W BUCK CONSTRUCTION CO INC	4103 FRANDFORD AVE	LUBBOCK	TX	79407
JAMES CAPE & SONS CO	6422 N HWY 31	RACINE	WI	53401
JAMES N GRAY CONSTRUCTION CO	250 W MAIN ST	LEXINGTON	KY	40507
JANSSEN GLASS & MIRROR INC	5002 HADLEY	OVERLAND PARK	KS	66202
JAY MCCONNELL CONSTRUCTION INC	8242 MARSHALL DR	LENEXA	KS	66214
JE CAMPBELL INC	HWY 45E SOUTH	SOUTH FULTON	TN	38257
JET HEATING INC	P O BOX 7362	SALEM	OR	97303
JF BRENNAN CO INC	820 BAINBRIDGE ST	LA CROSSE	WI	54603
JOEL FRITZEL BUILDERS INC	3320 CLINTON PARKWAY CT	LAWRENCE	KS	66047



<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
JOHANSEN DRAINAGE & TILE	RT 1 BOX 152	RULO	NE	68431
JOHN A PAPALAS & CO	1187 EMPIRE	LINCOLN PARK	MI	48146
JOHNSON INDUSTRIAL SERVICES INC	200 BENTLEY CIR	SHELBY	AL	35143
JOLLEY CONSTRUCTION COMPANY	6148 LEE HWY STE 200	CHATTANOOGA	TN	37421
JOMAX CONSTRUCTION COMPANY INC	S 281 HWY	GREAT BEND	KS	67530
JONES HYDROBLAST INC	P O BOX 309	ROYALTON	IL	62983
JR ROOFING INC	P O BOX 204	LE MARS	IA	51031
JR STELZER CO	5850 RUSSELL DR	LINCOLN	NE	68507
JS ROLLINS INC	1776 VFW ROAD	BARLOW	KY	42024
JULIAN CONSTRUCTION COMPANY	15521 W 110TH ST	LENEXA	KS	66219
JULIUS KAAZ CONSTRUCTION COMPANY IN	716 CHEROKEE	LEAVENWORTH	KS	66048
K & M ELECTRICAL CONTRACTORS INC	940 COMMERCIAL SUITE B	ATCHISON	KS	66002
KAJIMA ASSOCIATES INC	900 SYLVAN AVE	ENGLEWOOD CLIFF	NJ	07632
KAJIMA CONSTRUCTION SERVICES INC	900 SYLVAN AVE	ENGLEWOOD CLIFF	NJ	07632
KANSAS BUILDING SYSTEMS INC	1701 SW 41ST	TOPEKA	KS	66609
KASBOHM CUSTOM DRILLING INC	11404 OAKTON RD	SAVANNA	IL	61074
KAYTON ELECTRIC INC	PO BOX 27	HOLDREGE	NE	68949
KDS CONSTRUCTION	9318 GULFSTREAM RD UNIT C	FRANKFORT	IL	60423
KEARNEY & SON CONSTRUCTION INC	2500 NORTH 7TH ST	LAWRENCE	KS	66044
KEARNEY ELECTRIC INC	3609 E SUPERIOR AVE	PHOENIX	AZ	85040
KEITH AUSTIN	3001 WEDINGTON DR #106	FAYETTEVILLE	AR	72701
KELLEY DEWATERING & CONSTRUCTION CO	5175 CLAY AVENUE SW	WYOMING	MI	49548
KELLY CONSTRUCTION INC	P O BOX 32152	OKLAHOMA CITY	OK	73123
KENJURA TILE INC	BOX 158	BRENHAM	TX	77834
KEOKUK CONTRACTORS INC	853 JOHNSON ST RD	KEOKUK	IA	52632
KG MOATS & SONS	9515 US HWY 63	EMMETT	KS	66422
KGL ASSOCIATES INC	759 ADAMS ST	DENVER	CO	80206
KIM CONSTRUCTION CO INC	3142 HOLEMAN	STEGER	IL	60475
KING LAR COMPANY	2020 E OLIVE STREET	DECATUR	IL	62525
KNICKERBOCKER CONSTRUCTION INC	4823 LAKEWOOD DR	NORWALK	IA	50211
KUHLMAN REFRIGERATION INC	N58W16865 RIDGEWOOD 100	MENOMONEE FALLS	WI	53051
KURISU INTERNATIONAL INC	11125 SW BARBUR BL	PORTLAND	OR	97219
L & L INSULATION & SUPPLY CO	3305 SE DELAWARE AVE	ANKENY	IA	50021
L E BELL CONSTRUCTION COMPANY INC	1226 COUNTY ROAD 11	HEFLIN	AL	36264
LAKE CONTRACTING INC	4650 STONE CHURCH RD	ADDIEVILLE	IL	62214
LAKEVIEW CONSTRUCTION OF WISCONSIN	10505 CORPORATE DR #200	PLEASANT PRAIRI	WI	53158
LANDSCAPES UNLIMITED INC	1601 OLD CHENEY RD	LINCOLN	NE	68512
LARRY COX CONSTRUCTION	50 FORT COX RD	HEBER SPRINGS	AR	72543
LEMAR CONSTRUCTION	2829 BRADY ST	DAVENPORT	IA	52803
LESSARD NYREN UTILITIES INC	17385 FOREST BLVD N	HUGO	MN	55038
LH SOWLES CO	2813 BRYANT AVE S	MINNEAPOLIS	MN	55408
LICAUSI CONSTRUCTION COMPANY	8301 W 125TH ST	OVERLAND PARK	KS	66213

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LIFE SAFETY INC	12428 VETERANS MEM PKWY	LAFAYETTE	AL	36862
LIMBAUGH CONSTRUCTION CO INC	4186 HWY 162	GRANITE CITY	IL	62040
LIN R ROGERS ELECTRICAL CONTRACTORS	3000 NORTHFIELD PL ST1100	ROSWELL	GA	30076
LITTLE ROCK ELECTRICAL CONTRACTORS	13008 LAWSON RD	LITTLE ROCK	AR	72210
LONG CONSTRUCTION INC	1600 E SUNVALE DR	OLATHE	KS	66062
LONGAN CONSTRUCTION COMPANY	1635 US HWY 59 N	GROVE	OK	74344
LPR CONSTRUCTION CO	1171 DES MOINES AVE	LOVELAND	CO	80537
LUNDA CONSTRUCTION CO	620 GEBHARDT RD	BLACK RIVER FAL	WI	54615
LUTTENBERGER & CO INC	1501 MONROE ST	TOLEDO	OH	43624
LVI ENVIRONMENTAL SERVICES	225 FENCL LANE	HILLSIDE	IL	60162
M A MORTENSON CO	700 MEADOW LN N	MINNEAPOLIS	MN	55422
MAGUIRE IRON INC	300 W WALNUT BOX 1446	SIOUX FALLS	SD	57101
MARATHON BUILDERS INC	4144 N CENTRAL #660	DALLAS	TX	75204
MARICK INC	1710 2ND AVE	DES MOINES	IA	50314
MARRS ELECTRIC INC OF ARKANSAS	701 KAWNEER DR	SPRINGDALE	AR	72764
MARSHALL CONSTRUCTION INC	17739 CARTWRIGHT MTN RD	MOUNTAINBURG	AR	72946
MASCO CONTRACTOR SERVICE CENTRAL INC	2339 BEVILLE RD	DAYTONA BEACH	FL	32119
MAX TRUE FIREPROOFING CO	6500 S 39TH AVE	TULSA	OK	74132
MBK CONSTRUCTION LTD	175 TECHNOLOGY	IRVINE	CA	92718
MCBRIDE ELECTRIC INC	3215 E 9TH N	WICHITA	KS	67208
MCCARTIN MECHANICAL CONTRACTOR INC	2999 PARKWAY DR	DECATUR	IL	62526
MCINNIS BROTHERS CONSTRUCTION INC	119 PEARL ST	MINDEN	LA	71058
MCKNIGHT MASONRY	5319 ROSEWOOD DR	ROELAND PARK	KS	66205
MCMASTER CONSTRUCTION INC	138 NE 46TH	OKLAHOMA CITY	OK	73105
MCPHERSON WRECKING INC	2333 BARTON RD	GRANTVILLE	KS	66429
MEADOWS CONSTRUCTION CO INC	1014 FRONT ST	TONGANOXIE	KS	66086
MERIVIC INC	1050 A W JEFFERSON	MORTON	IL	61550
MERRELL BROS INC	8811 W 500 N	KOKOMO	IN	46901
METAL ROOFING SPECIALISTS INC	933 FILLMORE	FREDONIA	KS	66736
METRIC VISION	8500 CINDER BED RD STE150	NEWINGTON	VA	22122
MEYERS TURF FARMS INC	19055 METCALF	STILWELL	KS	66085
MICHAEL CONSTRUCTION CO INC	SECONDARY RT 79 BOX 143	DRY BRANCH	WV	25061
MICRO PAVERS INC	127 FAUBER RD	E PEORIA	IL	61611
MID AMERICA ROOFING CONSTRUCTION &	1035 N 69 HWY	FRONTENAC	KS	66763
MID AMERICA SERVICES INC	3981 STATE RT 3 NORTH	CHESTER	IL	62233
MID CO CONTRACTORS INC	P O BOX 391	FORT SCOTT	KS	66701
MID CONTINENTAL RESTORATION CO INC	PO BOX 429	FORT SCOTT	KS	66701
MID STATES MECHANICAL SERVICES INC	HWY 169 SOUTH	MANKATO	MN	56001
MIDLAND WRECKING INC	15 HENNING	LENEXA	KS	66215
MIDWEST CONSTRUCTION SYSTEMS INC	100 MAIN ST STE 504	LITTLE ROCK	AR	72201
MIDWEST ELEVATOR CO INC	1116 E MARKET STREET	INDIANAPOLIS	IN	46202
MIDWEST PUMP & EQUIPMENT CO	2300 S 7TH ST	LINCOLN	NE	68502

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MIDWEST TOWERS INC	2806 COUNTRY CLUB DRIVE	CHICKASHA	OK	73018
MIDWESTERN POWER LINE INC	HWY 75, 2 MI NORTH	DEWEY	OK	74029
MIDWESTERN SERVICES INC	1913 7TH ST	SNYDER	TX	79549
MILLER THE DRILLER	5125 E UNIVERSITY	DES MOINES	IA	50317
MILLERS PRO CUT	6410 W 72ND TERR	OVERLAND PARK	KS	66204
MILLGARD CORPORATION THE	12822 STARK RD	LIVONIA	MI	48150
MILLS ELECTRICAL CONTRACTORS	2535 WALNUT HILL LN	DALLAS	TX	75229
MISSOURI VALLEY INC	4614 MCCARTY BLVD	AMARILLO	TX	79110
MJM SERVICES INC	207 N 48TH ST	BELLEVILLE	IL	62223
MORNINGSTAR CONSTRUCTION CO	8751 GODDARD	OVERLAND PARK	KS	66214
MORRISSEY CONTRACTING CO	705 SOUTHMOOR PL	GODFREY	IL	62035
MOSLEY ELECTRIC INC	POST OFFICE BOX 789	QUINCY	IL	62301
MOUNTAIN MECHANICAL CONTRACTORS INC	2210 S SCHOOL	FAYETTEVILLE	AR	72701
MOWERY BACKHOE & TRENCHER SERVICE	25374 TONGANOXIE RD	LEAVENWORTH	KS	66048
MULTIPLE CONCRETE ENTERPRISES	1680 W 1000 N	LAYTON	UT	84041
MUNICIPAL PIPE TOOL COMPANY INC	515 5TH ST	HUDSON	IA	50643
MUNIE COMPANY	1000 MILBOURN SCHOOL ROAD	CASEYVILLE	IL	62232
MUSE EXCAVATION & CONSTRUCTION CO	504 S 8TH ST	ELWOOD	KS	66024
MUSTANG LINE CONTRACTORS INC	9105 N DIVISION ST STE A	SPOKANE	WA	99218
MW BUILDERS OF KANSAS INC	11100 ASH ST STE 210	LEAWOOD	KS	66211
MYLES LORENTZ INC	RR1	ST PETER	MN	56082
NATGUN CORP	11 TEAL RD	WAKEFIELD	MA	01880
NATIONAL ABATEMENT CORPORATION	3080 N CENTER RD	FLINT	MI	48519
NATIONAL COATING & MFG INC	ROUTE 5 BOX 285	ADA	OK	74820
NATIONAL CONDUCTOR	4146 HWY 371 NORTH	BRAINERD	MN	56401
NATIONAL CONSTRUCTION SERVICES INC	520 LANCASTER AVE	FRAZER	PA	19355
NATIONAL INDUSTRIAL MAINTENANCE SER	121 EDWARDS DR	JACKSON	TN	38302
NATIONAL STEEL ERECTORS	PO BOX 709	MUSKOGEE	OK	74402
NEBRASKA MIDWEST CONSTRUCTION COMPA	406 N 22ND ST	NEBRASKA CITY	NE	68410
NELSON INDUSTRIAL SERVICES INC	6021 MELROSE LN	OKLAHOMA CITY	OK	73127
NEW DIMENSION INC	631 E BIG BEAVER #109	TROY	MI	48083
NEWTRON INC	8183 W EL CAJON DR	BATON ROUGE	LA	70815
NHC CONSTRUCTION LLC	5960 DEARBORN STE 15	MISSION	KS	66202
NO FAULT INDUSTRIES INC	11325 PENNYWOOD AVE	BATON ROUGE	LA	70809
NORMENT SECURITY GROUP INC	3224 MOBILE HWY	MONTGOMERY	AL	36108
NORTH CENTRAL BUILDERS INC	321 N BROADWAY	HARTINGTON	NE	68739
NORTH COAST 88 INC	170 EAST MAIN ST	NORWALK	OH	44857
NORTH MISSISSIPPI CONVEYOR COMPANY INC	HWY 7S LAFAYETTE CO RD370	OXFORD	MS	38655
NORTHERN CLEARING INC	1805 W MAIN ST	ASHLAND	WI	54806
NORTHLAND CONTRACTING INC	HIGHWAY 2 EAST	SHEVLIN	MN	56676
NORTHWEST ENERGY SYSTEMS INC	315 S GREGG ST	FAYETTEVILLE	AR	72701
NUTRIJECT SYSTEMS INC	515 5TH ST	HUDSON	IA	50643

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O & M SERVICES INC	207 E MAIN ST	FAIRFIELD	IL	62837
ODONNELL & SONS CONSTRUCTION CO INC	15301 BROADMOOR ST	OVERLAND PARK	KS	66223
OFALLON ELECTRIC COMPANY	P O BOX 488	OFALLON	IL	62269
OIL FIELD ELECTRIC	P O BOX 247	WEST FRANKFORT	IL	62896
ONEAL ELECTRIC SERVICE INC	3073 MERRIAM LN	KANSAS CITY	KS	66106
P & P CONSTRUCTION CO	1132 E LINCOLN ST	RIVERTON	IL	62561
PACE AND WAITE INC	7501 S MEMORIAL PKWY #205	HUNTSVILLE	AL	35802
PARADISE FIBERGLASS POOLS INC	3115 N ILL AVE	SWANSEA	IL	62226
PARKWAY CONSTRUCTION & ASSOCIATES I	1660 S STEMMONS #340	LEWISVILLE	TX	75067
PAVEMENT SPECIALISTS INC	15 238 CO RD M1	NAPOLEON	OH	43545
PEOPLE & MACHINES CORP	2468 33RD AVE	COLUMBUS	NE	68601
PERMANENT PAVING INC	8900 INDIAN CREEK PKWY	OVERLAND PARK	KS	66210
PETERSON CONSTRUCTION	1929 W 2ND ST	WEBSTER CITY	IA	50595
PETERSON CONTRACTORS INC	104 BLACKHAWK ST	REINBECK	IA	50669
PHILLIPS & JORDAN INC	6621 WILBANKS RD	KNOXVILLE	TN	37912
PINNACLE CONSTRUCTION INC	203 N CHESTNUT ST	GLENWOOD	IA	51534
PIONEER GROUP INC	8600 JUNIPER LANE	PRAIRIE VILLAGE	KS	66207
PITTSBURG TANK & TOWER CO INC	515 PENNEL ST	HENDERSON	KY	42420
PIZZAGALLI CONSTRUCTION COMPANY	50 JOY DR	S BURLINGTON	VT	05407
PLASTOCOR INC	25 INDUSTRIAL PARK RD	HINGHAM	MA	02043
PLOWMAN CONSTRUCTION COMPANY INC	8249 W 95TH ST STE 105	OVERLAND PARK	KS	66212
PNEUMATIC SYSTEMS INSTALLATION INC	11213 RILEY	OVERLAND PARK	KS	66210
PRECAST ERECTORS INC	13400 TRINITY BLVD	EULESS	TX	76040
PRECISION CASEWORK & TRIM INC	816 SE 83RD ST	OKLAHOMA CITY	OK	73149
PRECISION ELECTRICAL CONTRACTORS INC	1977 LINCOLN WAY	WHITE OAK	PA	15131
PRO QUIP CORPORATION	8522 E 61ST ST	TULSA	OK	74133
PROFORMANCE ELECTRIC INC	11201 W 59TH TER	SHAWNEE	KS	66203
PROGRESSIVE CONTRACTORS INC	14123 42ND ST NE	ST MICHAEL	MN	55376
PULTE HOMES OF GREATER KANSAS CITY	8700 STATE LINE RD #309	LEAWOOD	KS	66206
PYRAMID CONTRACTORS INC	891 W IRONWOOD RD	OLATHE	KS	66061
QUALITY AWNING & CONSTRUCTION CO	7937 SCHAEFER RD	DEARBORN	MI	48126
R & R ELECTRIC INC	HWY 75 N PO BOX 181	BRECKENRIDGE	MN	56520
R IZOKAITIS CONSTRUCTION INC	14817 GRANT ST	OMAHA	NE	68116
R MESSNER CONSTRUCTION CO INC	3595 N WEBB RD #500	WICHITA	KS	67226
R N HARRIS CONSTRUCTION CO	3200 HASKELL AVE STE 140	LAWRENCE	KS	66046
RANGER PLANT CONSTRUCTIONAL CO INC	5851 E US HIGHWAY 80	ABILENE	TX	79601
RCS CONSTRUCTION INC	197 OLD ST LOUIS RD	WOOD RIVER	IL	62095
RDC MANUFACTURING INC	200 LUKKEN INDUSTRIAL DR	LA GRANGE	GA	30240
REASONS CONSTRUCTION COMPANY INC	3825 EAST END DR	HUMBOLDT	TN	38343
RECLAMATION ASSOCIATES INC	105 S MAIN	WALNUT	KS	66780
REDDINGER CONSTRUCTORS INC	6301 OLD BOONVILLE HWY	EVANSVILLE	IN	47715
REDNOUR STEEL ERECTORS INC	HWY 150	CUTLER	IL	62238

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RENIER CONSTRUCTION CORPORATION	2154 CITY GATE DRIVE	COLUMBUS	OH	43219
RENTENBACH CONSTRUCTORS INC	2400 SUTHERLAND AVE	KNOXVILLE	TN	37919
RESERV CONSTRUCTION CO INC	7101 SHARONDALE CT #200	BRENTWOOD	TN	37027
RETAIL CONSTRUCTION SERVICES INC	11343 39TH ST N	ST PAUL	MN	55042
RETAIL PLANNING & CONSTRUCTION INC	735 BIRCH AVE	BENSALEM	PA	19020
RETAIL STOREFRONT GROUP INC	419 MIAMI AVE	LEEDS	AL	35094
REVENUE SOLUTIONS INC	752 WASHINGTON ST	PEMBROKE	MA	02359
RFB CONSTRUCTION CO INC	3222 NW 160 HWY	CHEROKEE	KS	66724
RICHARD GOETTLE INC	12071 HAMILTON AVE	CINCINNATI	OH	45231
RICHARDSON CORPORATION	WATER PLANT RD	OWINGSVILLE	KY	40360
RJ PITCHER INC	4575 BUCKLEY RD	LIVERPOOL	NY	13088
RMP INC	PO BOX 16141	SHAWNEE	KS	66203
ROBERT W BRITZ PAINTING COMPANY INC	14272 FRAZEE RD	DIVERNON	IL	62530
ROBERTSON PAINTING INC	3116 S ARROWHEAD CT	INDEPENDENCE	MO	64057
ROD BUSTERS INC	624 S MISSOURI ST STE 100	INDIANAPOLIS	IN	46225
ROLLING PLAINS CONSTRUCTION INC	12331 PEORIA ST	HENDERSON	CO	80640
ROMAN MOSAIC & TILE CO	1105 SAUNDERS CR	WEST CHESTER	PA	19380
ROOF MAINTENANCE SERVICES INC	#8 COMMODORE DRIVE	BELLEVILLE	IL	62223
ROSE LAN CONTRACTORS INC	952 OSAGE	KANSAS CITY	KS	66105
ROYAL ELECTRIC CONSTRUCTION INC	7905 MONTICELLO RD	SHAWNEE MISSION	KS	66203
RP INDUSTRIES INC	105 REYNOLDS DR	FRANKLIN	TN	37064
RUSSELL CONSTRUCTION CO	3032 A NORTH FRAZIER ST	CONROE	TX	77303
RUSSIAN CONCRETE CONSTRUCTION	1133 S 205TH	PITTSBURG	KS	66762
RYAN FLOORS INC	305 CARL STREET	ROCKVILLE	MD	20851
S A COMUNALE CO INC	2900 NEWPARK DR	BARBERTON	OH	44203
SAGEZ CONSTRUCTION INC	HC61 BOX 17	HARDIN	IL	62047
SCI GENERAL CONTRACTORS INC	4530 BARKSDALE BLVD STE C	BOSSIER CITY	LA	71112
SERRAULT SERVICES OF KANSAS INC	7625 LAKESIDE AVE	MANHATTEN	KS	66502
SERVICEMAGIC INC	1626 COLE BLVD #200	GOLDEN	CO	80401
SERVICEMASTER DESIGN BUILD LLC	8615 FREEPORT PKWY 5-100	IRVING	TX	75063
SGT LTD I	3407 TORREY RD	FLINT	MI	48507
SHAW CONTRACT FLOORING SERVICES INC	616 E WALNUT AVE	DALTON	GA	30722
SHAWNEE MISSION TREE SERVICE INC	8250 COLE PKWY	SHAWNEE MSN	KS	66227
SHAY ROOFING INC	1999 S 59TH ST	BELLEVILLE	IL	62223
SHILOH STEEL FABRICATORS INC	200 EAST HWY 264	SPRINGDALE	AR	72764
SIERRA BRAVO INC	7038 STATE HWY 154	SESSER	IL	62884
SKYLIGHT MANUFACTURING INC	1208 ALDINE MAIL RD	HOUSTON	TX	77039
SLUDGE TECHNOLOGY INC	8101 W 33RD STREET S	MUSKOGEE	OK	74401
SNELL NORTHCUTT ELECTRIC INC	P O BOX 24601	LITTLE ROCK	AR	72221
SOONER BUILDERS & INVESTMENTS INC	26005 E ADMIRAL	CATOOSA	OK	74015
SOPTIC PANNELL CONSTRUCTION CO INC	2038 S 49TH ST	KANSAS CITY	KS	66106
SOUTHERN ELECTRICAL SERVICES INC	445 METROPLEX DR	NASHVILLE	TN	37211

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SPARKS & WIEWEL CONSTRUCTION CO	6200 BROADWAY	QUINCY	IL	62301
SPARROW PLUMBING & HEATING INC	313 DELAWARE	QUINCY	IL	62301
SPECIALTY CONSTRUCTORS INC	2445 ALAMO STREET SE	ALBUQUERQUE	NM	87106
SPINIELLO COMPANIES	35 AIRPORT RD	MORRISTOWN	NJ	07962
SPINIELLO LIMITED INC	35 AIRPORT RD	MORRISTOWN	NJ	07962
SPORTS METALS INC	P O BOX 1338	PHENIX CITY	AL	36868
STELLAR GROUP INC	2900 HARTLEY RD	JACKSONVILLE	FL	32257
STEVENS ELECTRIC OF QUINCY INC	526 S 9TH ST	QUINCY	IL	62306
STORY CONSTRUCTION CO	300 S BELL AVE	AMES	IA	50010
STRATEGIC INFORMATION SOLUTIONS	20 N CLARK ST STE 1650	CHICAGO	IL	60602
STRAUB CONSTRUCTION CO INC	10575 WIDMER	LENEXA	KS	66215
STRUHEL ELECTRIC INC	1375 W WALNUT ST	GIRARD	KS	66743
STUEVE CONSTRUCTION COMPANY	2201 E OAK ST	ALGONA	IA	50511
SUNCON INC	#2 TERMINAL DR STE 17A	EAST ALTON	IL	62002
SUNLAND CONSTRUCTION INC	HWY 13 SOUTH	EUNICE	LA	70535
SUPERIOR CONCRETE PRODUCTS	P O BOX 201625	ARLINGTON	TX	76006
SUPERIOR FLOORS INC	3225 N PROSPECT RD	PEORIA	IL	61603
SURFACE PREPARATION TECHNOLOGIES INC	81 TEXACO ROAD	MECHANICSBURG	PA	17055
SW FRANKS CONSTRUCTION CO	2070 WEST 3RD ST	CLEVELAND	OH	44113
SW HUFFMAN CONSTRUCTION INC	PO BOX 99	OTTUMWA	IA	52501
SYLVAN INDUSTRIAL PIPING INC	815 AUBURN AVE	PONTIAC	MI	48342
SYRSTONE INC	201 S MAIN ST	NORTH SYRACUSE	NY	13212
T SQUARE MILLWRIGHT SERVICES INC	BOX 519	N WEBSTER	IN	46555
TAFT CONTRACTING CO INC	5525 W ROOSEVELT	CICERO	IL	60804
TANCO ENGINEERING INCORPORATED	1030 BOSTON AVE	LONGMONT	CO	80501
TDB COMMUNICATIONS INC	14808 W 114TH TERRACE	LENEXA	KS	66215
TECH BUILDERS INC	410 DOWNTOWN PLZ	FAIRMONT	MN	56031
TEXAS STONE & TILE INC	2683 LOMBARDY LN	DALLAS	TX	75220
THIEMS CONSTRUCTION CO INC	P O BOX 386	EDWARDSVILLE	IL	62025
THOMAS L BEAR CONSTRUCTION INC	14758 202ND ST	BLOOMFIELD	IA	52537
THOMPSON ELECTRIC COMPANY OF OMAHA	P O BOX 207	SIOUX CITY	IA	51102
TIC THE INDUSTRIAL COMPANY	40185 ROUTT COUNTY RD 129	STEAMBOAT SPRGS	CO	80477
TIDY BUILDING SERVICE OF MIDWEST	13818 PEMBROKE	LEAWOOD	KS	66224
TITAN CONTRACTING & LEASING CO INC	2205 RAGU DRIVE	OWENSBORO	KY	42302
TMI COATINGS INC	2805 DODD RD	EAGAN	MN	55121
TMS DESIGN SERVICES INC	7905 L STREET STE 110	OMAHA	NE	68127
TNT CONSTRUCTION CO INC	144 EASY ST	CAROL STREAM	IL	60188
TOAN INC	5320 SPEAKER ROAD	KANSAS CITY	KS	66106
TONTO CONSTRUCTION INC	HWY 16 W 78TH ST	MUSKOGEE	OK	74401
TOOLPUSHERS SUPPLY CO	P O BOX 2360	CASPER	WY	82602
TRAC WORK INC	303 W KNOX	ENNIS	TX	75119
TRAYLOR BROS INC	835 N CONGRESS AVE	EVANSVILLE	IN	47715

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TRI STATE BUILDING SUPPLY CO INC	N HWY 69	PITTSBURG	KS	66762
TRI STATE PAVING INC	STATE LINE RD	PICHER	OK	74360
TRI STATE SIGNING	509 BAILEY AVE	NEW HAMPTON	IA	50659
TRIGON ENGINEERING INC	475 17TH ST STE 300	DENVER	CO	80202
TSC OF KANSAS INC	2200 W 75TH ST STE 15	PRAIRIE VILLAGE	KS	66208
TULSA DYNASpan INC	1601 E HOUSTON ST	BROKEN ARROW	OK	74012
TWEEDY CONTRACTORS INC	CORNER OF PYBURN & HOELSC	POCAHONTAS	AR	72455
TWIN CITY POOLS INC	948 KANSAS AVE	KANSAS CITY	KS	66105
ULTIMATE THERMAL INC	P O BOX 34818	OMAHA	NE	68134
UNITED CONTRACTORS INC	6678 NW 62ND AVE	JOHNSTON	IA	50131
UNITED EXCEL CORPORATION	8041 W 47 ST STE 100	OVERLAND PARK	KS	66204
UNIVERSAL CONTRACTING CO	1207 LUCAS	BURLINGTON	IA	52601
UNIVERSAL LIMITED INC	932 ALTON PARKWAY	BIRMINGHAM	AL	35210
UNIVERSAL MACHINERY ERECTORS INC	3106 CLAY TURNER RD	PLANT CITY	FL	33566
VAUGHN ELECTRIC CO INC	313 E FLORIDA AVE	UNION CITY	TN	38261
VFP FIRE SYSTEMS INC	825 CORPORATE WOODS PKWY	VERNON HILLS	IL	60061
VISTA CONSTRUCTION INC	2526 EAST 71ST ST STE E	TULSA	OK	74136
VOLTEK INC	8807 W 89TH ST	OVERLAND PARK	KS	66212
VON ALST INC	2416 SMELTING WORKS RD	BELLEVILLE	IL	62226
VON ROLL INC	3080 NORTHWOODS CIR STE 2	NORCROSS	GA	30071
W G YATES & SONS CONSTRUCTION COMPA	104 GULLY AVENUE	PHILADELPHIA	MS	39350
WACHTER ELECTRIC COMPANY	16001 W 99TH ST	LENEXA	KS	66219
WALKER CONSTRUCTION CO INC	HWY 50 TO KAHOLA LAKE RD	EMPORIA	KS	66801
WALT WAGNER CONSTRUCTION INC	305 S 5TH ST	LEAVENWORTH	KS	66048
WALTER CONSTRUCTION USA INC	441 SW 41ST ST	RENTON	WA	98055
WASATCH ELECTRIC A DIVISION OF DYNA	1420 SPRING HILL RD SE500	MCLEAN	VA	22102
WEATHERCRAFT COMPANY OF GRAND ISLAND	312 NORTH ELM STREET	GRAND ISLAND	NE	68801
WEATHERCRAFT COMPANY OF LINCOLN	545 J ST	LINCOLN	NE	68508
WEBB ELECTRIC COMPANY	34375 W 12 MILE RD	FARMINGTON HILL	MI	48331
WEBER AIR CONDITIONING CO INC	2501 CONE DR	TARRANT	AL	35217
WELLS & WEST INC	VALLEY VILLAGE SHOPPING C	MURPHY	NC	28906
WELSH COMPANIES	8200 NORMANDEALE BLVD #200	MINNEAPOLIS	MN	55437
WESSELS CONSTRUCTION CO INC	1800 DES PLAINES AVE	FOREST PARK	IL	61030
WEST SIDE MECHANICAL INC	P O BOX 11247	KANSAS CITY	KS	66111
WESTERN INDUSTRIAL CONTRACTORS INC	5301 JOLIET ST	DENVER	CO	80239
WHITE MOUNTAIN CABLE CONSTRUCTION C	OLD DOVER RD	EPSOM	NH	03234
WHITING TURNER CONTRACTING CO THE	300 E JOPPA RD	BALTIMORE	MD	21286
WILLIAMS ELECTRIC CO INC	695 DENTON BLVD	FORT WALTON BEA	FL	32547
WITCHER CONSTRUCTION CO	9855 W 78TH ST	MINNEAPOLIS	MN	55344
WOODS CONSTRUCTION INC	34650 KLEIN	FRASER	MI	48026
WOODWORKERS OF DENVER INC	1475 S ACOMA ST	DENVER	CO	80223
WR NEWMAN & ASSOCIATES INC	2854 LOGAN ST	NASHVILLE	TN	37211

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
YAZAKI EDS ENGINEERING INC	6800 HAGGERTY RD	CANTON	MI	48187
YORK CONTRACTORS INC	21025 W 105TH ST	OLATHE	KS	66061
YOUNG INSULATION GROUP OF NASHVILLE INC	7119 COCKRILL BEND IND BL	NASHVILLE	TN	37209
ZIMMERMAN CONSTRUCTION COMPANY INC	11005 W 126TH ST	OVERLAND PARK	KS	66213

**Updated: 11/15/2001 8:24:55 AM**



# Contractor Debarment List

<b>Name of Contractor</b>	<b>Name of Officer and Title</b>	<b>Address</b>	<b>Date of Conviction</b>	<b>Debarment Period</b>
Kat Excavation a/k/a Kat Excavation, Inc	Steve Bailey Lisa Bailey	405 N. 2nd St. Bates City, MO 64011	8/16/01	8/16/01-8/16/02
Lisa Bailey	N/A	405 N. 2nd St. Bates City, MO 64011	9/7/01	9/7/01-9/7/02

**OFFICE OF ADMINISTRATION  
Division of Purchasing**

**BID OPENINGS**

Sealed Bids in one (1) copy will be received by the Division of Purchasing, Room 580, Truman Building, PO Box 809, Jefferson City, MO 65102, telephone (573) 751-2387 at 2:00 p.m. on dates specified below for various agencies throughout Missouri. Bids are available to download via our homepage: [www.moolb.state.mo.us](http://www.moolb.state.mo.us). Prospective bidders may receive specifications upon request.

B1E02137 Sheeting-Reflective & Non-Reflective 12/17/01;  
B2Z02046 Color Production Copier 12/17/01;  
B3E02055 Taxi Services 12/17/01;  
B3Z02054 Missouri Assessment Program (MAP) Services  
12/17/01;  
B3Z02059 WIC Funding Analysis 12/17/01;  
B3E02104 Video Producer 12/20/01;  
B1E02112 Paper: Cut, Roll, & Carbonless 12/21/01;  
B1E02134 Vehicles: ATV/Utility 12/21/01;  
B2Z02045 Statewide Copier Maintenance 12/21/01;  
B3Z02073 Janitorial Services 12/27/01;  
B3Z02080 Food Service Operation 12/27/01;  
B2Z02041 Statewide Copiers 12/31/01;  
B2Z02043 Laboratory Information Management System Software  
1/4/01;  
B3Z02012 School Based Substance Abuse Prevention,  
Intervention, and Resources Initiative 1/10/02;  
B2Z02030 Telecommunications Services: Long Distance Services  
1/11/02;  
B2Z02032 E-Government: Infrastructure 1/15/02.

It is the intent of the state of Missouri, Division of Purchasing to purchase the following as a single feasible source without competitive bids. If suppliers exist other than the one identified, contact (573) 751-2387 immediately.

1.) Missouri Adoption Continuum Project, supplied by The Adoption Exchange. 2.) Datagraphix COM Equipment Maintenance, supplied by Anacomp.

Missouri Coalition Demonstration Project, supplied by the Coalition of Statewide Alzheimer's Association.

James Miluski, CPPO,  
Director of Purchasing

**Rule Changes Since Update to  
Code of State Regulations**

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—24 (1999), 25 (2000) and 26 (2001). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable and RUC indicates a rule under consideration.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
<b>OFFICE OF ADMINISTRATION</b>					
1 CSR 10	State Officials' Salary Compensation Schedule .....				24 MoReg 2535
1 CSR 50-3.010	Missouri Ethics Commission .....		26 MoReg 2219		25 MoReg 2478
<b>DEPARTMENT OF AGRICULTURE</b>					
2 CSR 10-5.010	Market Development .....	26 MoReg 1305R			
	.....	26 MoReg 1305			
2 CSR 10-5.015	Market Development .....	26 MoReg 2217			
2 CSR 30-2.010	Animal Health .....	26 MoReg 2257	26 MoReg 2263		
2 CSR 30-2.040	Animal Health .....	26 MoReg 2257	26 MoReg 2265		
2 CSR 30-6.020	Animal Health .....	26 MoReg 2258	26 MoReg 2267		
2 CSR 100-10.010	Weights and Measures .....		26 MoReg 1623	.....	This Issue
<b>DEPARTMENT OF CONSERVATION</b>					
3 CSR 10-1.010	Conservation Commission .....		26 MoReg 1795	26 MoReg 2313	
3 CSR 10-5.550	Conservation Commission .....		26 MoReg 1891		
3 CSR 10-5.551	Conservation Commission .....		26 MoReg 1893		
3 CSR 10-5.559	Conservation Commission .....		26 MoReg 1895		
3 CSR 10-5.560	Conservation Commission .....		26 MoReg 1897		
3 CSR 10-5.565	Conservation Commission .....		26 MoReg 1899		
3 CSR 10-6.405	Conservation Commission .....		26 MoReg 2075		
3 CSR 10-7.440	Conservation Commission .....		N.A.	26 MoReg 1927	
3 CSR 10-9.442	Conservation Commission .....		N.A.	26 MoReg 1928	
3 CSR 10-11.115	Conservation Commission .....		N.A.	26 MoReg 2158	
3 CSR 10-11.160	Conservation Commission .....		N.A.	26 MoReg 2158	
3 CSR 10-11.182	Conservation Commission .....		26 MoReg 1901	.....	This Issue
3 CSR 10-11.200	Conservation Commission .....		26 MoReg 1901	.....	This Issue
3 CSR 10-11.210	Conservation Commission .....		26 MoReg 1901	.....	This Issue
3 CSR 10-11.215	Conservation Commission .....		26 MoReg 1902	.....	This Issue
3 CSR 10-12.110	Conservation Commission .....		26 MoReg 1902	.....	This Issue
3 CSR 10-12.135	Conservation Commission .....		26 MoReg 1902	.....	This Issue
3 CSR 10-12.140	Conservation Commission .....		26 MoReg 1902	.....	This Issue
3 CSR 10-12.145	Conservation Commission .....		26 MoReg 1902	.....	This Issue
<b>DEPARTMENT OF ECONOMIC DEVELOPMENT</b>					
4 CSR 10-2.022	Missouri State Board of Accountancy .....	This Issue		This Issue	
4 CSR 10-2.041	Missouri State Board of Accountancy .....	This Issue		This Issue	
4 CSR 10-2.061	Missouri State Board of Accountancy .....	This Issue		This Issue	
4 CSR 10-2.160	Missouri State Board of Accountancy .....	26 MoReg 1501		This Issue	
4 CSR 15-1.010	Acupuncturist Advisory Committee .....		26 MoReg 1624		
4 CSR 15-1.020	Acupuncturist Advisory Committee .....		26 MoReg 1628		
4 CSR 15-1.030	Acupuncturist Advisory Committee .....		26 MoReg 1631		
4 CSR 15-2.010	Acupuncturist Advisory Committee .....		26 MoReg 1631		
4 CSR 15-2.020	Acupuncturist Advisory Committee .....		26 MoReg 1637		
4 CSR 15-3.010	Acupuncturist Advisory Committee .....		26 MoReg 1642		
4 CSR 15-3.020	Acupuncturist Advisory Committee .....		26 MoReg 1647		
4 CSR 15-4.010	Acupuncturist Advisory Committee .....		26 MoReg 1650		
4 CSR 15-4.020	Acupuncturist Advisory Committee .....		26 MoReg 1653		
4 CSR 30-3.020	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors .....		26 MoReg 2075		
4 CSR 30-3.030	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors .....		26 MoReg 2076		
4 CSR 30-3.040	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors .....		26 MoReg 2077		
4 CSR 30-4.080	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors .....		26 MoReg 2078R		
	.....		26 MoReg 2078		
4 CSR 30-5.105	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors .....		26 MoReg 2269		
4 CSR 30-5.110	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors .....		26 MoReg 2269R		
	.....		26 MoReg 2270		
4 CSR 30-5.120	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors .....		26 MoReg 2083R		
	.....		26 MoReg 2083		
4 CSR 30-5.130	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors .....		26 MoReg 2083R		
	.....		26 MoReg 2083		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 30-8.020	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors .....		26 MoReg 1406R .....	This IssueR	
			26 MoReg 1406 .....	This Issue	
4 CSR 30-11.010	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors .....		26 MoReg 1409R .....	This IssueR	
			26 MoReg 1409 .....	This Issue	
4 CSR 30-11.015	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors .....		26 MoReg 2270		
4 CSR 30-11.020	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors .....		26 MoReg 1410 .....	This Issue	
4 CSR 40-1.010	Office of Athletics .....		This IssueR		
4 CSR 40-1.021	Office of Athletics .....		This IssueR		
			This Issue		
4 CSR 40-1.030	Office of Athletics .....		This IssueR		
4 CSR 40-1.031	Office of Athletics .....		This IssueR		
4 CSR 40-2.011	Office of Athletics .....		This IssueR		
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4 CSR 40-2.021	Office of Athletics .....		This IssueR		
			This Issue		
4 CSR 40-3.011	Office of Athletics .....		This IssueR		
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4 CSR 40-4.015	Office of Athletics .....		This IssueR		
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4 CSR 40-4.020	Office of Athletics .....		This IssueR		
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4 CSR 40-4.030	Office of Athletics .....		This IssueR		
			This Issue		
4 CSR 40-4.040	Office of Athletics .....		This IssueR		
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4 CSR 40-4.050	Office of Athletics .....		This IssueR		
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4 CSR 40-4.060	Office of Athletics .....		This Issue		
4 CSR 40-4.070	Office of Athletics .....		This Issue		
4 CSR 40-4.080	Office of Athletics .....		This IssueR		
			This Issue		
4 CSR 40-4.090	Office of Athletics .....		This Issue		
4 CSR 40-5.010	Office of Athletics .....		This Issue		
4 CSR 40-5.030	Office of Athletics .....		This IssueR		
			This Issue		
4 CSR 40-5.040	Office of Athletics .....		This IssueR		
			This Issue		
4 CSR 40-5.050	Office of Athletics .....		This IssueR		
4 CSR 40-5.060	Office of Athletics .....		This IssueR		
			This Issue		
4 CSR 40-5.070	Office of Athletics .....		This IssueR		
4 CSR 40-6.010	Office of Athletics .....		This IssueR		
			This Issue		
4 CSR 40-7.010	Office of Athletics .....		This IssueR		
			This Issue		
4 CSR 65-1.060	Endowed Care Cemeteries .....		26 MoReg 2088		
4 CSR 65-2.010	Endowed Care Cemeteries .....		26 MoReg 2092		
4 CSR 65-2.050	Endowed Care Cemeteries .....		26 MoReg 2096		
4 CSR 100	Division of Credit Unions .....				26 MoReg 2181
					26 MoReg 2230
					26 MoReg 2316
4 CSR 100-2.040	Division of Credit Unions .....		26 MoReg 1795		
4 CSR 100-2.160	Division of Credit Unions .....		26 MoReg 1796		
4 CSR 110-2.170	Missouri Dental Board .....		26 MoReg 1414R .....	This IssueW	
			26 MoReg 1414 .....	This IssueW	
4 CSR 110-2.180	Missouri Dental Board .....		26 MoReg 1423R .....	This IssueW	
			26 MoReg 1423 .....	This IssueW	
4 CSR 120-1.010	State Board of Embalmers and Funeral Directors .....		26 MoReg 2276		
4 CSR 120-2.010	State Board of Embalmers and Funeral Directors .....		26 MoReg 2276		
4 CSR 120-2.020	State Board of Embalmers and Funeral Directors .....		26 MoReg 2276		
4 CSR 120-2.030	State Board of Embalmers and Funeral Directors .....		26 MoReg 2277		
4 CSR 120-2.040	State Board of Embalmers and Funeral Directors .....		26 MoReg 2277		
4 CSR 120-2.050	State Board of Embalmers and Funeral Directors .....		26 MoReg 2277		
4 CSR 120-2.060	State Board of Embalmers and Funeral Directors .....		26 MoReg 2278		
4 CSR 120-2.070	State Board of Embalmers and Funeral Directors .....		26 MoReg 2279		
4 CSR 120-2.120	State Board of Embalmers and Funeral Directors .....		26 MoReg 2280		
4 CSR 145-1.040	Missouri Board of Geologist Registration .....		26 MoReg 2281		
4 CSR 150-6.010	State Board of Registration for the Healing Arts .....		26 MoReg 1656 .....	This Issue	
4 CSR 165-1.020	Board of Examiners for Hearing Instrument Specialists .....		26 MoReg 1656		
4 CSR 165-2.050	Board of Examiners for Hearing Instrument Specialists .....		26 MoReg 1656		
4 CSR 165-2.060	Board of Examiners for Hearing Instrument Specialists .....		26 MoReg 1657		
4 CSR 220-2.010	State Board of Pharmacy .....		26 MoReg 1658		
4 CSR 220-2.085	State Board of Pharmacy .....		26 MoReg 1025 .....	26 MoReg 1929 .....	This Issue
4 CSR 220-5.020	State Board of Pharmacy .....		26 MoReg 1025 .....	26 MoReg 1929	
4 CSR 230-2.045	State Board of Podiatric Medicine .....		26 MoReg 2283		
4 CSR 233-1.040	State Committee of Marital and Family Therapists .....		26 MoReg 1309 .....	26 MoReg 2047	
4 CSR 233-2.010	State Committee of Marital and Family Therapists .....		26 MoReg 1309 .....	26 MoReg 2047	
4 CSR 233-2.020	State Committee of Marital and Family Therapists .....		26 MoReg 1310 .....	26 MoReg 2047	
4 CSR 233-2.021	State Committee of Marital and Family Therapists .....		26 MoReg 1311 .....	26 MoReg 2047	

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4 CSR 233-2.040	State Committee of Marital and Family Therapists .....		26 MoReg 1312 .....	26 MoReg 2048	
4 CSR 240-2.080	Public Service Commission .....		26 MoReg 1965		
4 CSR 240-2.130	Public Service Commission .....		26 MoReg 1966		
4 CSR 240-10.020	Public Service Commission .....		26 MoReg 1659		
4 CSR 240-13.055	Public Service Commission .....	26 MoReg 2259			
4 CSR 240-21.010	Public Service Commission .....		26 MoReg 1312 .....	26 MoReg 2313	
4 CSR 240-35.010	Public Service Commission .....		26 MoReg 1659		
4 CSR 240-35.020	Public Service Commission .....		26 MoReg 1659		
4 CSR 240-35.030	Public Service Commission .....		26 MoReg 1660R		
4 CSR 240-51.010	Public Service Commission .....		26 MoReg 1317 .....	26 MoReg 2313	
4 CSR 240-120.011	Public Service Commission .....		26 MoReg 1434 .....	This Issue	
4 CSR 240-120.065	Public Service Commission .....		26 MoReg 1434 .....	This Issue	
4 CSR 240-120.100	Public Service Commission .....		26 MoReg 1160 .....	26 MoReg 2159	
4 CSR 240-121.010	Public Service Commission .....		26 MoReg 1161 .....	26 MoReg 2226	
4 CSR 240-121.020	Public Service Commission .....		26 MoReg 1161 .....	26 MoReg 2159	
4 CSR 240-121.040	Public Service Commission .....		26 MoReg 1161 .....	26 MoReg 2159	
4 CSR 240-121.050	Public Service Commission .....		26 MoReg 1162 .....	26 MoReg 2226W	
4 CSR 240-121.055	Public Service Commission .....		26 MoReg 1434 .....	This IssueW	
4 CSR 240-121.060	Public Service Commission .....		26 MoReg 1162 .....	26 MoReg 2227W	
4 CSR 240-121.090	Public Service Commission .....		26 MoReg 1162 .....	26 MoReg 2160W	
4 CSR 240-122.010	Public Service Commission .....		26 MoReg 1435R .....	This IssueR	
4 CSR 240-122.020	Public Service Commission .....		26 MoReg 1435R .....	This IssueR	
4 CSR 240-122.030	Public Service Commission .....		26 MoReg 1435R .....	This IssueR	
4 CSR 240-122.040	Public Service Commission .....		26 MoReg 1435R .....	This IssueR	
4 CSR 240-122.050	Public Service Commission .....		26 MoReg 1436R .....	This IssueR	
4 CSR 240-122.060	Public Service Commission .....		26 MoReg 1436R .....	This IssueR	
4 CSR 240-122.070	Public Service Commission .....		26 MoReg 1436R .....	This IssueR	
4 CSR 240-122.080	Public Service Commission .....		26 MoReg 1437R .....	This IssueR	
4 CSR 240-122.090	Public Service Commission .....		26 MoReg 1437R .....	This IssueR	
4 CSR 240-123.010	Public Service Commission .....		26 MoReg 1437 .....	This Issue	
4 CSR 240-123.030	Public Service Commission .....		26 MoReg 1438 .....	This Issue	
4 CSR 240-123.040	Public Service Commission .....		26 MoReg 1441 .....	This Issue	
4 CSR 240-123.065	Public Service Commission .....		26 MoReg 1444 .....	This Issue	
4 CSR 240-123.070	Public Service Commission .....		26 MoReg 1444 .....	This Issue	
4 CSR 240-123.080	Public Service Commission .....		26 MoReg 1446 .....	This Issue	
4 CSR 240-124.010	Public Service Commission .....		26 MoReg 1446 .....	This Issue	
4 CSR 240-124.040	Public Service Commission .....		26 MoReg 1447 .....	This Issue	
4 CSR 240-124.045	Public Service Commission .....		26 MoReg 1447 .....	This issue	
4 CSR 250-5.020	Missouri Real Estate Commission .....		26 MoReg 2100		
4 CSR 255-2.010	Missouri Board for Respiratory Care .....		This Issue		
4 CSR 255-2.020	Missouri Board for Respiratory Care .....		This Issue		
4 CSR 255-2.030	Missouri Board for Respiratory Care .....		This Issue		
4 CSR 265-8.060	Motor Carrier and Railroad Safety .....				26 MoReg 2181
<b>DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION</b>					
5 CSR 30-4.040	Division of School Services .....		26 MoReg 2283R		
5 CSR 30-4.045	Division of School Services .....		26 MoReg 2283R		
5 CSR 30-340.010	Division of School Services .....		26 MoReg 2103		
	( <i>Changed to 5 CSR 50-340.110</i> )				
5 CSR 30-345.020	Division of Administrative and Financial Services .....		26 MoReg 1320 .....	26 MoReg 2314	
	( <i>Changed to 5 CSR 50-345.020</i> )				
5 CSR 30-660.030	Division of School Services .....		26 MoReg 2284R		
5 CSR 30-660.040	Division of School Services .....		26 MoReg 2284R		
5 CSR 30-660.050	Division of School Services .....		26 MoReg 2284R		
5 CSR 50-340.110	Division of School Improvement .....		26 MoReg 2103		
	( <i>Changed from 5 CSR 30-340.010</i> )				
5 CSR 50-340.200	Division of School Improvement .....		26 MoReg 2284		
5 CSR 50-345.020	Division of School Improvement .....		26 MoReg 1320 .....	26 MoReg 2314	
	( <i>Changed from 5 CSR 30-345.020</i> )				
5 CSR 60-120.070	Vocational and Adult Education .....		26 MoReg 2103R		
	.....		26 MoReg 2103		
5 CSR 80-800.360	Teacher Quality and Urban Education .....		26 MoReg 2290		
5 CSR 80-805.030	Teacher Quality and Urban Education .....		26 MoReg 2291		
5 CSR 80-850.025	Teacher Quality and Urban Education .....		26 MoReg 1503 .....	26 MoReg 2314	
5 CSR 90-7.010	Vocational Rehabilitation .....		26 MoReg 1506 .....	26 MoReg 2314	
5 CSR 90-7.100	Vocational Rehabilitation .....		26 MoReg 1507 .....	26 MoReg 2314	
5 CSR 90-7.200	Vocational Rehabilitation .....		26 MoReg 1511 .....	26 MoReg 2314	
5 CSR 90-7.300	Vocational Rehabilitation .....		26 MoReg 1514 .....	26 MoReg 2315	
5 CSR 90-7.310	Vocational Rehabilitation .....		26 MoReg 1514 .....	26 MoReg 2315	
5 CSR 90-7.320	Vocational Rehabilitation .....		26 MoReg 1514 .....	26 MoReg 2315	
5 CSR 100-200.010	Missouri Commission for the Deaf .....		26 MoReg 1660R		
	.....		26 MoReg 1660		
5 CSR 100-200.030	Missouri Commission for the Deaf .....		26 MoReg 1661R		
	.....		26 MoReg 1661		
5 CSR 100-200.040	Missouri Commission for the Deaf .....		26 MoReg 1662R		
	.....		26 MoReg 1662		
5 CSR 100-200.050	Missouri Commission for the Deaf .....		26 MoReg 1662R		
	.....		26 MoReg 1663		
5 CSR 100-200.060	Missouri Commission for the Deaf .....		26 MoReg 1663R		
	.....		26 MoReg 1663		
5 CSR 100-200.070	Missouri Commission for the Deaf .....		26 MoReg 1664R		
	.....		26 MoReg 1664		
5 CSR 100-200.075	Missouri Commission for the Deaf .....		26 MoReg 1665		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
5 CSR 100-200.080	Missouri Commission for the Deaf .....		26 MoReg 1665		
5 CSR 100-200.085	Missouri Commission for the Deaf .....		26 MoReg 1666R		
	.....		26 MoReg 1666		
5 CSR 100-200.090	Missouri Commission for the Deaf .....		26 MoReg 1666R		
5 CSR 100-200.100	Missouri Commission for the Deaf .....		26 MoReg 1667R		
	.....		26 MoReg 1667		
5 CSR 100-200.110	Missouri Commission for the Deaf .....		26 MoReg 1667R		
5 CSR 100-200.120	Missouri Commission for the Deaf .....		26 MoReg 1668R		
5 CSR 100-200.125	Missouri Commission for the Deaf .....		26 MoReg 1668		
5 CSR 100-200.130	Missouri Commission for the Deaf .....		26 MoReg 1668R		
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5 CSR 100-200.140	Missouri Commission for the Deaf .....		26 MoReg 1670R		
	.....		26 MoReg 1670		
5 CSR 100-200.150	Missouri Commission for the Deaf .....		26 MoReg 1670R		
	.....		26 MoReg 1671		
5 CSR 100-200.170	Missouri Commission for the Deaf .....		26 MoReg 1673R		
	.....		26 MoReg 1673		
5 CSR 100-200.175	Missouri Commission for the Deaf .....		26 MoReg 1675R		
5 CSR 100-200.180	Missouri Commission for the Deaf .....		26 MoReg 1675R		
	.....		26 MoReg 1676		
5 CSR 100-200.200	Missouri Commission for the Deaf .....		26 MoReg 1676R		
5 CSR 100-200.210	Missouri Commission for the Deaf .....		26 MoReg 1677R		
	.....		26 MoReg 1677		
<b>DEPARTMENT OF HIGHER EDUCATION</b>					
6 CSR 10-2.030	Commissioner of Higher Education .....		26 MoReg 2297		
<b>DEPARTMENT OF TRANSPORTATION</b>					
7 CSR 10-22.020	Missouri Highways and Transportation Commission .....		26 MoReg 2220		
7 CSR 10-22.040	Missouri Highways and Transportation Commission .....		26 MoReg 2220		
<b>DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS</b>					
8 CSR 5-1.010	Administration .....		26 MoReg 1322R	26 MoReg 2048R	
8 CSR 70-1.010	Missouri Assistive Technology Advisory Council .....		26 MoReg 1797		
8 CSR 70-1.020	Missouri Assistive Technology Advisory Council .....		26 MoReg 1568	26 MoReg 2315	
<b>DEPARTMENT OF MENTAL HEALTH</b>					
9 CSR 30-3.120	Certification Standards .....		26 MoReg 2220		
9 CSR 30-3.130	Certification Standards .....		26 MoReg 2221		
9 CSR 30-3.132	Certification Standards .....		26 MoReg 2221		
9 CSR 30-3.140	Certification Standards .....		26 MoReg 2222		
9 CSR 30-3.300	Certification Standards .....		26 MoReg 2222		
<b>DEPARTMENT OF NATURAL RESOURCES</b>					
10 CSR 10-5.300	Air Conservation Commission .....		26 MoReg 1967		
10 CSR 10-6.050	Air Conservation Commission .....		26 MoReg 1456		
10 CSR 10-6.060	Air Conservation Commission .....		26 MoReg 1974		
10 CSR 10-6.065	Air Conservation Commission .....		26 MoReg 1975		
10 CSR 10-6.110	Air Conservation Commission .....		26 MoReg 1322	26 MoReg 2160	26 MoReg 1846S
10 CSR 10-6.280	Air Conservation Commission .....		26 MoReg 1570		
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2 CSR 30-2.010	Health Requirements Governing the Admission of Livestock, Poultry and Exotic Animals Entering Missouri . . . . .	May 10, 2002
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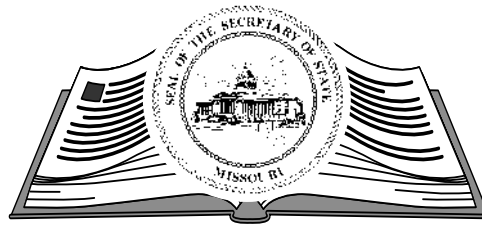
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